



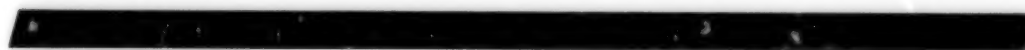
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CENTRAL EURASIA



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Baburin on Yugoslavia

944F0625A Moscow LITERATURNAYA ROSSIYA
in Russian No 15, 15 Apr 94 p 6

[Interview with S.N. Baburin, State Duma deputy, member of the Russian Way parliamentary group, and leader of the Russian All-People's Union, by LITERATURNAYA ROSSIYA correspondent in Bulgaria Olga Reshetnikova; in Sofia; date not given: "Sergey Baburin: 'Drawing on the Experience of History...' The Balkan Knot and Russia"]

[Text] S.N. Baburin visited Yugoslavia (as a member of a State Duma delegation) and Bulgaria together with his colleagues from the Russian Way parliamentary group, S.A. Glotov and A.A. Dolgoplov. As far as their trip to Bulgaria is concerned, it is noteworthy in its own right: Figures of the patriotic movement in Russia of such renown have not visited here yet; the Bulgarian public has a hazy notion about the movement itself, whereas the leading Bulgarian mass media, as a rule, paint it in the "Red-and-Brownshirt" tones and invariably associate it with the name of V.V. Zhirinovskiy. In Sofia, S.N. Baburin gave an interview to this correspondent.

[Reshetnikova] Sergey Nikolayevich, what was the purpose of your trip to Yugoslavia?

[Baburin] Contrary to the commonplace view of a "brilliant" foreign policy victory of Russia which has succeeded in forestalling the bombing of Serbian positions in Bosnia by NATO forces, we believe that on the whole, the current leaders of the foreign policy establishment are proceeding within the framework of the U.S. strategic plan in resolution of the Yugoslav crisis, having in particular played along with the United States in forming a Croatian-Muslim state association. In the course of developing its specific proposals for the settlement of the Yugoslav conflict, it became necessary for the ROS [Russian All-People's Union], of which I am a leader, to verify the correctness of the analysis of the situation existing there locally, to examine the position of the Russian military contingent in Yugoslavia and the conditions and nature of its activities, and to analyze the consequences of the introduction of Turkish "blue helmets" to Bosnia. We took advantage of a long-standing invitation to visit Yugoslavia which had been confirmed at a recent meeting with R. Karadzic in Moscow. The trip turned out to be very useful. We accumulated many observations, and listened to our Serbian friends and Russian servicemen. All of this has yet to be analyzed and the requisite conclusions have yet to be drawn. Therefore at present it is premature to discuss specific results. However, I can note one point right now: Serious adjustments should be made in the policy of the Ministry of Foreign Affairs of Russia with regard to the Yugoslav crisis.

[Reshetnikova] Do you think that now, when Yugoslavia is the focus of attention for reasons that are easy to understand, other countries of the Balkan region, primarily our traditional partner Bulgaria, have been left out of

the field of vision of Russian politicians? Meanwhile, the leadership of Bulgaria has declared the country to be a francophone state to which the imperial ambitions of Russia allegedly pose the main threat. Sofia, the sworn brother of Tel Aviv and Ankara, is knocking on the doors of NATO, and on the day of the national holiday they fly the flag of the European Community here....

[Baburin] While both interested parties share the blame for the current state of Russian-Bulgarian relations, I cannot but acknowledge a serious omission in the foreign policy of Russia. This state of affairs ought to be rectified as soon as possible. This is why we eagerly accepted the invitation to come to Bulgaria issued by deputies of the Bulgarian parliament from the Fatherland Party of Labor, as well as the Zora Political Circle, whose approach to quite a number of key problems is close to that of the ROS: We are in favor of traditionalism, a reverent attitude toward the past, an original national path of development for each country, major economic reforms on the basis of a mixed economy, but without the total annihilation of all things that have proven to be viable and useful. We have come to Bulgaria in order to establish direct interparty and interparliamentary links, to consult, and to discuss problems which are immediate for both Russia and Bulgaria. The spectrum of such problems is very broad: Prospects for the resumption of economic cooperation between our two countries, the role of Russia and Bulgaria in settlement of the Yugoslav crisis and keeping the peace in the Balkans in general, the problem of integration of East European countries in NATO, and so on. A conversation with, for example, Chairman of the National Assembly of Bulgaria A. Yordanov indicated that we do not have mutual understanding on all these problems. We believe that NATO in the form in which it continues to exist is aimed against Russia even now. Yes, we are in favor of a partnership for peace, but a genuine partnership on an equal footing. For now, an attempt to make our states fit its political, economic, military, and cultural standards is obvious in the approach of the United States; meanwhile, both Russia and Bulgaria have paths of their own. We can accomplish a genuine revival only by drawing on our national traditions and our experience of history. We differed with the chairman of the Bulgarian parliament in our assessment of Bulgarian-Soviet relations in the past. Certainly, the imitation of friendship and the uncritical attitude toward each other harmed relations between our peoples. However, it would be incorrect to discard outright the existence of sincere friendly feelings which the Bulgarian people had during those years and, as I have ascertained, retain to this day. Just because we are from Russia, we were very warmly greeted both in Sofia and in the cities of Kazanluk, Shipka, and Kurdzhali.

[Reshetnikova] You visited areas which are densely settled by the Turkish and Bulgarian Muslim population in the immediate proximity of Turkey. It is little known in our country that certain external forces are attempting to fuel interethnic and religious conflicts in Bulgaria and

encourage pro-Turkish and pro-Macedonian separatist organizations. The American ambassador to Bulgaria openly states that the Bulgarian Constitution which bans the creation of parties and political organizations on an ethnic basis is "imperfect." To your mind, how grave is the danger of the Bosnian scenario being replicated in Bulgaria?

[Baburin] This is a very serious problem, and I am profoundly convinced that the leadership of Bulgaria underestimates it, however, like the leadership of Russia. The state must guarantee the rights and liberties of all its citizens; in turn, any attempt to acquire special rights merely along ethnic or religious lines represents a step toward the destruction of not just democracy but also the state itself. At a meeting with the public of the city of Kurdzhali I said frankly: "Look at what is happening in Russia; may this be a warning to you against experiments involving the demand to make your area autonomous." The activities of separatist organizations may result in the splitting up of Bulgaria along ethnic and religious lines, which is tantamount to the death of the Bulgarian state. The separation of the Rhodope [Mountains], which are populated by the Turkish and Bulgarian-Muslim element, will directly connect Turkey to Macedonia (where the proportion of Muslims is growing continuously), and subsequently to Albania and Bosnia.

[Reshetnikova] Indeed, the actions of Washington and Ankara in the Balkans reveal an aspiration to create a "Muslim arc" here that will pass through the north of Greece, the south of Bulgaria, Macedonia, Albania, and Bosnia. The creation of this arc will place an effective means to pressure Europe at the disposal of Washington and, in addition, will isolate the Christian states—Greece, Serbia, and Bulgaria—from one another, also separating them from Russia. Bulgarian patriotic forces are seriously concerned about this prospect, and are looking to Russia with hope. As we have learned, the "Worldwide Congress of Slavic Orthodox Christian Nations," of which V.V. Zhirinovskiy became chairman, has just been held in Moscow; the ideas of creating an all-Slavic parliament and army have been voiced. What is your opinion of this?

[Baburin] One should receive the eccentric statements of V.V. Zhirinovskiy while keeping it definitely in mind that he is a young politician; this is why excessive

attention to his declarations is harmful for him, just as is free advertisement. In general it surprises me that in Bulgaria, Zhirinovskiy is perceived to be a representative of national-patriotic forces. There is nothing for Zhirinovskiy to create. The inseparable bond between Russia and the Balkan nations has been created over millennia. Russia is historically responsible for the countries of the Balkan Peninsula; it was and still is a guarantor of their territorial integrity and independence. We are against the attempt, foisted on us from the outside, to create a pillar of Russian policy in the form of one Balkan state at the expense of others and come out in favor of mutually advantageous relations on an equal footing between Russia and all Balkan states, primarily Bulgaria, Yugoslavia, and Greece, which are traditionally close to us. To my distress, the chairman of the Bulgarian parliament characterized this task as "not too essential." For ages the enemies of Russia and the Orthodox faith have set the task of the Balkan nations quarreling among themselves. A patriotic Russia sets the task of achieving mutual understanding and cooperation among these nations. We are against the creation of military blocs in this region, including blocs of a pan-Slavic nature. Our victory is not in achieving military superiority but in the victory of the spirit and economics. So far a Russian foreign policy concept for the Balkans has not been apparent. The current leaders of the Ministry of Foreign Affairs operate by the trial-and-error method. However, this is a dead end: Ill-conceived steps cause problems whose resolution produces illusory victories, but nobody is held responsible in the process. I am convinced that for Russia it was a mistake to vote in favor of sanctions against Serbia and Montenegro and agree to the Turkish military presence in the Balkans under the guise of the "blue helmets." This will unavoidably encourage separatist trends in the Muslim-populated areas of Greece, Bulgaria, and Macedonia, and boost the pressure of Turkey, the United States, and NATO on Belgrade, Sofia, and Athens, which will be unable to effectively resist it, given the unpredictable and inconsistent policy of Russia. However, I believe that the situation will change; Russia will finally follow a far-sighted foreign policy course based first of all on its national-state interests. For this to happen, truly democratic, patriotic forces with a statesmanlike frame of mind, for whom serving the Motherland is above all, should come to power in our country.

Russia's Role, Advantages in CIS Assessed

944Q0318A Moscow NEZAVISIMAYA GAZETA
in Russian 16 Apr 94 p 3

[Article by Richard Ovinnikov, doctor of historical sciences: "CIS Not a Burden for Moscow: The Commonwealth as a Guarantee of General Revival"]

[Text] The Commonwealth of Independent States, which emerged from the rubble of a superpower, is into its third year. Sufficient time to have left the infant and toddler phase and to have begun to walk unaided. But the diagnosis "something is rotten," which was once appended to the state of affairs "in the state of Denmark," has proven appropriate to the CIS also. The processes of the formation of the Commonwealth are proving contradictory, and successes are being replaced by failures, setbacks even. As a result, no one can say for certain what will come of all this.

Let us attempt to grasp the realities that have emerged. It would seem that the correct reference point is the historical background from which the present relationships in the Commonwealth are growing.

Is the Role of Leader a Burden?

How were the components of the CIS' predecessor—the Soviet Union—correlated between themselves? A well-known charge leveled at it is that it was an empire. Let us take a look according to a dispassionate criterion of identification of a real empire, namely, whether the center (metropolis) pumps resources from the periphery (colonies). According to figures used by, we would note, the International Monetary Fund, the charges are not borne out—the Union center was a major donor in respect to the five most backward Central Asian republics. Thus at the last stage of the existence of the USSR, in 1991, Union subsidies, according to IMF data, constituted the following proportion of these budgets: 45 percent in Tajikistan, 43 percent in Uzbekistan, 35 percent in Kyrgyzstan, 25 percent in Kazakhstan, and 22 percent in Turkmenistan. Thus according to a key criterion, the Union was not an empire. It effected infusions into the economy of the outlying areas, did not pump resources out.

But this is only the first step toward establishment of the root system. Let us try to exfoliate the facts further. There arises, for example, the question: Where did the sums of money for the subsidies come from? From other, more economically developed Union republics, primarily Russia, which accounted for 60 percent of the overall potential. So what kind of nature of relationship was it—"plunder in reverse," as it is sometimes portrayed? Not this either. World experience testifies that this is a normal, even typical, mode of interaction within any federation. It is a question of the civilized redistribution of resources among its members.

Let us look at Canada, the federation most similar to us both in terms of size of territory and natural and climatic

conditions and in terms of difference in the development of individual parts of the country. The most industrially advanced province of Canada—Ontario, accounting for 55 percent of national production—is the main donor in relation to the majority of the remaining 11 provinces and territories. Some of them receive very substantial resources nominally from the federal government, but in fact from Ontario. Thus for Canada's four Atlantic provinces these transfers constituted in 1987 the following percentage of their total income: 47 for Newfoundland, 46 for Prince Edward Island, 40 for New Brunswick, and 38 for Nova Scotia.

In other words, the identity of the roles of Russia and Ontario is obvious. It consists of the function of leader of the federation, its locomotive, which is followed by the whole train. It is important that the allocations made the others by a forward-looking leader are by no means a one-sided burden. They are also an assurance of the health of all members of the single organism, a guarantee of the unity and integrity of the federation. A wise head does not refuse to maintain the arms and legs. The main thing is that the leader himself obtains a prize in the form of more extensive national markets. He uses this to considerable advantage, compensating the original costs. Thus all members of the federation ultimately benefit, and this is why they are interested in it.

It should be added that this nature of relations (with some specific singularities, understandably) is characteristic of other federations also—the United States, Germany, Switzerland, Austria, Australia.

Of course, the CIS is not a federation, not even a confederation, and only coordinating, not supranational, bodies are possible within it. Yes, a lesser contribution of Russia to the common pot is, consequently, justified as yet. But, on the other hand, the CIS is a unique organization: Its participants, even having become independent states, are tied to the Russian Federation by the umbilical cord of many centuries of economic and other relations and interdependencies. In so closely interwoven a common space the guiding role of Russia is justified. If we are all thinking in categories of voluntary reintegration, and this has been the case thus far, we should not, in any event, be taking abrupt steps back, moving back in order subsequently, possibly, to take a step forward. But it is this problem, apparently, that has arisen for Russia—this, by appointment, nucleus of the Commonwealth.

Recoil—Where and For What Purpose?

Unfortunately, a struggle of common sense and, in addition, the lessons of world development against irrational improvisations continues in the Russian position in respect to the CIS. Consequently, the Commonwealth is at times recognized as a legitimate child, with whom hopes for the future are linked, what is more, at other times it suddenly comes to be slighted as a foundling and sponger.

It is well known what has as of late served as a stimulus to a strengthening of the trends of attraction on the periphery of the CIS. Disenchantment with the euphoria of the sovereignties and a growing understanding that it is easier to cope with difficulties together. All the harder does what began as of the middle of last year—opposite impulses of rejection from the center—lend itself to a rational explanation.

There was in July 1993 a relapse into the Belovezha syndrome—a new statement of the “Slav trio”—on this occasion concerning urgent measures to strengthen only its economic integration. This was followed by attempts by Moscow to impose a “new-type” ruble zone on the rest of the participants in the CIS. According to the conditions of its formation, the Russian Federation could use these states’ credit liabilities to place an important part of their economies under control. Another condition of Russian credit was the conclusion with CIS countries of dual-citizenship agreements. It was said here that we had not thought up such conditions, the entire international credit system works on the basis of them, and that linking policy with economics is a normal practice.

This is not true. First, as far as it itself is concerned, the Russian Federation is justifiably rejecting the attempts by the creditor, of the London Club to sell its assets overseas for the debts. Second, the demand for dual citizenship in respect to 25 million citizens of one country who suddenly, through no fault of their own, have found themselves abroad is without precedent. The main thing is that while in no way helping them specifically, it even makes their position worse, putting the corresponding states, a substantial part of whose population would thereby become “semi-foreigners,” on their guard. Similar claims were not made on Estonia and Latvia, incidentally, where severe discrimination against the Russian-speaking population is being openly directed by the governments.

It is not surprising that both Russian conditions set the CIS countries in respect to credit were rejected. Following this, a policy of evicting the malcontents from the ruble zone was adopted, and all was crowned this March by a statement that the burden of leader of the CIS does not suit Moscow.

As of the present there are more questions than answers in connection with so abrupt a development. But the reflections are highly disturbing. What is the reason, for example, for priority being given the creation of an ethnic Slav union? The 1,000-year history of the multinational Russian state has known of no such reference point. This could be a mine beneath the fate of the Russian Federation itself. Why, further, is it acceptable to impose in the CIS the patronage of an older brother

capable of dictating his terms to the younger ones? To be honest, this is akin to the imperial approach which we have sacredly forsworn. Finally, does not all this mean virtual renunciation of a full-fledged Commonwealth and its death knell? It is not, evidently, from having nothing better to do that the president of Kazakhstan, a convinced supporter of the CIS, has put forward the alternative idea of a Eurasian Union.

One thing is certain—ignoring realities is dangerous. Only in close interaction and on an equal basis with other countries of the CIS, not in isolation from them, in confrontation with them even less, is Russia’s own revival conceivable.

Potential of the Commonwealth

There are three main reasons why Russia’s emergence from the multidimensional crisis is possible only in cooperation with the other countries of the CIS.

First, the imperatives of world development, with which Russia should proceed in step, not against the current. These amount to the fact that only extensive regional (meaning regions of the world) markets afford real prospects of economic growth. This is why the United States, despite all its colossal possibilities, preferred to join forces with Canada and then with Mexico also in the NAFTA trade and economic bloc. In turn, Germany, France, Britain—also great economic powers—agreed to unity with other states within the framework of the European Union. In this context the sole possibility for Russia of not withering away with its ailing economy and not suffocating from a lack of oxygen is to have its own regional market in the form of the CIS. The time of “lone wolves” in the world economy is gone.

Second, the tasks of ensuring national security push in the same direction. The collective interaction of the states of the CIS is a dependable common shield. Arguing from the opposite: Members of the Commonwealth, abandoned to the whim of fate, would have even fewer chances than the Russian Federation of not finding themselves plunged into chaos. But acquiring thereby an “encircling lichen of conflicts” along its entire perimeter would be most unpropitious surroundings for Russia. Such as it has never known throughout history and should not know, even less generate.

Third, as regards the geopolitical dimension. In short: Unless the Russian Federation is the leader in its region of the world, so much more will it not be a power of truly world caliber.

An adjustment of the impulsive actions, based on elementary miscalculation, is needed. A journey in the turbulent waters of world economics and policy cannot be started by jettisoning the lifesaver.

Vienna Institute's Gloomy Forecast for CIS, Russian Economies

94P50130A Moscow *RABOCHAYA TRIBUNA* in Russian
26 Apr 94 p 1

[ITAR-TASS Report: "Forecast from Vienna: Better Times Will Have to Wait"]

[Text] After the catastrophic year of 1993 for the economic development of the CIS countries, the coming year will also not bring a significant improvement in the situation of a majority of the republics, according to experts from the Vienna Institute for Comparative Analysis of the World Economy.

In the report published here on the results of research they carried out, it is noted that the decrease of Russia's gross national product, which was 12 percent last year, will slow somewhat and will comprise 7 percent. The average level of inflation will drop from 880 percent in 1993 to 500 percent.

As for the other countries of the CIS, they can expect a larger economic slump than last year. One of the reasons for this, in the opinion of the institute's specialists, is the cut in deliveries of raw materials and energy from Russia, which will lead to growth in prices and acceleration in inflation. As it is noted in the report, in 1993 the general volume of gross national product in the CIS

countries dropped 10 percent and the output of industrial production decreased 14 percent. The average level of inflation comprised 1,450 percent.

According to results of last year, the decrease in gross national product in Ukraine comprised 15 percent; in Belorussia [Belarus]—9 percent; in Moldavia [Moldova]—4 percent; in Uzbekistan—3.5 percent; in Kazakhstan—13 percent; in Kirghiziya [Kyrgyzstan]—13.4 percent; in Tajikistan—21 percent; in Armenia—9.9 percent; and in Azerbaijan—13.3 percent. Positive results were noted only in Turkmenistan, where growth in GNP comprised 7.8 percent.

The situation in the labor market looks somewhat better in the CIS countries than in other states of East Europe. However, the reason for this, in the experts' opinion, is because of the very slow formation of the structure of a market economy. As a result, as in the past a large number of inefficient jobs are maintained at enterprises. According to official data, there are almost 1.2 million unemployed people in the CIS countries. But hidden unemployment is much higher because many people are on unpaid or partially paid leave.

As a whole for the 1990-1993 period, according to data from the institute, the volume of industrial production in the CIS countries decreased almost 40 percent. This is more than during the U.S. "Great Depression" of the 1930s.

POLITICAL AFFAIRS

Law on Local Elections

Text of Law

944K0900A Kiev HOLOS UKRAYINY in Ukrainian
12 Mar 94 pp 10-14

[Text of law under the rubric "Laws of the Independent State"]

[Text]

Law of Ukraine "Elections of Deputies and Chairmen of Village, Town, Rayon, City, City Rayon and Oblast Soviets"

I. General Provisions

Article 1. Basic principles of elections

1. The elections of deputies and chairmen of local Soviets (aside from the chairmen of the Soviets of city rayons) are free and conducted on the basis of a universal, equal and direct right to vote by secret ballot. The term of authority of deputies and chairmen of Soviets is four years.
2. The election process is conducted based on the principles of free and equal nomination of candidates for deputy and candidates for the position of chairman of a Soviet (hereinafter, candidates), glasnost and openness, equal opportunities for all candidates to conduct election campaigns, non-prejudice toward candidates on the part of state bodies, bodies of local self-government, institutions and organizations, and freedom of campaigning.
3. The election of deputies is done by voters by electoral districts with an equal mandate.
4. The election of deputies is done by the voters who reside on the territory of the corresponding administrative-territorial entity, in a unified electoral district with an equal mandate. The chairmen of the Soviets of city rayons are elected by the corresponding Soviets from among the deputies of those Soviets.

Article 2. Universal right to vote

1. The elections of deputies and chairmen of Soviets are universal: the right to vote is held by all citizens of Ukraine who have reached 18 years of age as of the day of voting, and have the right to vote in accordance with legislation.
2. A citizen of Ukraine who has reached 18 years of age by the day of voting, has the right to vote and resides or works permanently on the territory of the corresponding Soviet may be elected a deputy.
3. A citizen of Ukraine who has the right to vote may be elected the chairman of a Soviet. A citizen of no less than 30 years of age may be elected chairman of an

oblast or the Kiev and Sevastopol Soviets, and no less than 25 years of age, of all other Soviets.

4. Any direct or indirect restrictions on the voting rights of citizens of Ukraine, regardless of their origin, social and property status, racial and ethnic affiliations, gender, education, language, attitude toward religion, political views or duration of residence on the territory of the corresponding Soviet or the type and nature of work, not stipulated by this Law are prohibited.
5. Citizens designated by the court as incompetent do not have the rights to vote or be elected. The exercise of voting rights is curtailed for a corresponding period for individuals who are in places of confinement under a court sentence, as well as for individuals who are in places of compulsory treatment by decision of a court.
6. Citizens may be a deputy to only one Soviet.

Article 3. Equal voting rights

The elections of deputies and chairmen of Soviets are equal: the voters take part in the elections on an equal footing. A voter has one vote for each electoral district on which he resides in the election of deputies, and one vote during elections of the chairmen of each Soviet on whose territory he resides.

Article 4. Direct voting right

The elections of deputies and chairmen of Soviets (except for the chairmen of the city rayon Soviets) are direct: the deputies and chairmen of the Soviets are elected directly by the citizens.

Article 5. Secret balloting

The balloting in elections for the deputies and chairmen of Soviets is secret: no monitoring of the exercise of the will of the voters is permitted.

Article 6. Conduct of elections

The conduct of elections of the deputies and chairmen of Soviets are organized by election commissions, which are created and operate under the procedure defined by this Law.

Article 7. The right to nominate candidates

Citizens of Ukraine who have the right to vote have the right to nominate candidates. This right is exercised by them both directly at gatherings (assemblies) of citizens and through political parties, movements and their voting blocs (hereinafter, parties), public organizations registered in accordance with the law, and labor collectives under the procedure defined by this Law.

Article 8. Glasnost in the preparation and conduct of elections

1. The preparation and conduct of elections is conducted openly and publicly.
2. The Soviets notify citizens of the decision on the number of districts for the election of deputies and the creation of electoral precincts, election commissions and their composition no later than five days after their creation.
3. The election commissions inform citizens of their location and working hours and the creation of electoral districts, and become familiarized with the lists of voters. The election commissions inform the voters of registered candidates, make known to the public the results of the balloting, the outcome of elections and information on the recognition of the authority of the elected deputies and chairmen of Soviets.
4. Authorized agents of the candidates have the right to be present, with one representative per party, public organization, labor collective or gathering of voters who nominated candidates, at sessions of the election commissions, as well as at election precincts during voting and the counting of votes by decision of the corresponding election commissions. Only individuals who reside or work permanently on the territory of the corresponding Soviet may be representatives.
5. The authority of the designated representatives is attested by the corresponding document, which is issued by a body of the party, public organization, gathering of a labor collective or gathering of voters.
6. Official observers from other nations and international organizations may take part in the functions connected with elections stipulated by this Law.
7. The interference of representatives in the work of the election commissions and the course of balloting is not permitted. The election commission, in the event of a violation of this requirement by a representative, may revoke his right to be present at sessions of the commission or at an election precinct during balloting and the counting of votes.
8. The mass media cover the preparation and conduct of elections. Their representatives are guaranteed unimpeded access to all functions connected with the elections. Election commissions, state bodies and bodies of local self-government provide them with information on the preparation and conduct of elections.

II. Procedure and Time Periods for the Calling of Elections

Article 9. Types of elections and procedure for calling them

1. The elections of the deputies and chairmen of Soviets may be regular or repeat, as well as to replace deputies

or chairmen of Soviets who have departed. Extraordinary (early) elections of the deputies and chairmen of Soviets may be held in the cases envisaged by legislation.

2. The decision to hold regular and extraordinary (early) elections of the deputies and chairmen of Soviets is made by the Supreme Soviet of Ukraine.
3. The decision to hold elections of the chairmen of Soviets to replace those who have departed is made by the corresponding Soviets.
4. The decision to conduct repeat elections of the deputies and chairmen of Soviets, as well as to hold elections of deputies to replace those who have departed, is made by the corresponding village, town, rayon, city, city rayon or oblast election commission.

Article 10. Time periods for the calling of elections

1. Regular elections of the deputies and chairmen of Soviets are called no later than three months before the end of the term of authority of the deputies and chairmen of the Soviets.
2. Extraordinary (early) and repeat elections and elections to replace deputies who have departed, as well as elections of the chairmen of certain Soviets, are called at the times stipulated by this Law.
3. The elections are called for a Sunday or other non-working day as established by law.
4. The body that calls the election announces the day of the elections through the mass media no later than three days after they are called.

III. Electoral Districts and Electoral Precincts

Article 11. The creation of electoral districts

1. Electoral districts are created in order to conduct elections for the deputies and chairmen of Soviets.
2. The number of electoral districts for the elections of the deputies of village, town, rayon, city, city rayon and oblast Soviets is designated by the corresponding Soviet no later than eighty five days before the day of the elections. The number of electoral districts for the elections of deputies therein may not exceed:
 - 15 for village and town Soviets with a population of up to 3,000 people, or 20 with more than 3,000 people;
 - 20 for rayon Soviets with a population up to 50,000 people, 25 with up to 100,000 people or 30 with more than 100,000 people;
 - 50 for city Soviets of cities with rayon divisions with a population of up to 500,000 people, or 75 with more than 500,000 people;

—60 for oblast Soviets of oblasts with a population of up to 1.5 million people, or 75 with more than 1.5 million people.

3. The electoral districts are created by the village, town, rayon, city, city rayon or oblast election commissions respectively, with a regard for the administrative-territorial divisions and with the observance of an approximately equal number of voters per electoral district, no later than eighty days before the day of the election.
4. The list of electoral districts, with indication of their names, boundaries and centers of the districts and the number of voters in them, is made known to the citizens of the corresponding territorial election commission no later than three days after their creation.

Article 12. Creation of electoral precincts

1. The territory of rayons, cities of oblast subordination and city rayons is divided into electoral precincts in order to conduct voting and count votes during the elections of the deputies and chairmen of Soviets. Electoral precincts are also created in military units.
2. Electoral precincts that are part of electoral districts by their location or by place of port of call of a vessel may be created at hospitals and other medical institutions, in difficult-to-reach areas and on ships that are at sea on the day of elections.
3. The electoral precincts are created by the rayon, city (cities of oblast subordination without rayon divisions) or city rayon Soviets or their executive body respectively. The electoral precincts are created by the village, town or city Soviet or their executive body respectively in a case where elections are being held to replace deputies or chairmen of village, town or city (cities of rayon subordination) Soviets.
4. The electoral precincts are created no later than fifty days before elections. The electoral precincts are created in the same time period, or in exceptional cases no later than five days before elections, in military units, as well as in difficult-to-reach areas and on ships that are at sea on the day of elections.
5. The electoral precincts are created in an amount of 20 to 3,000 voters, or in exceptional cases with a greater or lesser number of voters.
6. A Soviet or its executive body that is creating electoral precincts establishes a uniform numbering in coordination with the territorial electoral commission in accordance with the boundaries of the rayon, cities of rayon subordination or city rayon.

IV. Election Commissions

Article 13. System of election commissions

1. Election commissions are created to conduct elections of deputies and chairmen of Soviets:

—village, town, rayon, city, city rayon or oblast (hereinafter, territorial) election commissions for deputies and chairmen of Soviets;

—district election commissions for elections of deputies of oblast and Kiev and Sevastopol city Soviets. District election commissions may also be created for elections of the deputies of rayon, city (cities of oblast subordination) and city rayon Soviets;

—precinct election commissions.

2. District election commissions are not created to conduct elections of the deputies of village, town or city (cities of rayon subordination) Soviets, as well as the chairmen of Soviets. The authority of these district election commissions, as well as district election commissions for the elections of deputies to rayon, city (cities of oblast subordination) and city rayon Soviets in a case where they are not created, is exercised by the corresponding territorial election commissions.

Article 14. The creation of territorial election commissions

1. The territorial election commission is created by the corresponding Soviet and is composed of a chairman, a deputy chairman, a secretary and 6—12 members of the commission with a regard for the proposals of the bodies (local groups) of parties, public organizations and labor collectives that are operating on its territory, and gatherings of voters not later than eighty days before the day of the elections.
2. The bodies (local groups) of parties, public organizations, labor collectives and gatherings of voters, by request of the chairman of the corresponding Soviet and within a time frame established by him, submit to the Soviet proposals regarding representatives on the territorial election commission, which proposals are considered by the Soviet.
3. The territorial election commission, within five days from the date of its creation, informs citizens of its location and working hours, as well as makes known the account to which donations may be made to the election fund of the commission, and clarifies the rights of citizens and legal persons to make donations to that fund.
4. The term of authority of the territorial election commission is four years.

Article 15. Authority of the territorial election commission

1. The territorial election commission:
 - 1) monitors the fulfillment of this Law on the corresponding territory, provides for its uniform application, and provides clarifications on the procedure for the application of this Law;

- 2) creates electoral districts for the election of deputies to the corresponding Soviet, and assigns numbers to them;
 - 3) assists the activity of district and precinct election commissions in the election of deputies and chairmen of the corresponding Soviets;
 - 4) establishes the procedure for the use of funds for the conduct of elections, and distributes funds among the election commissions; monitors the furnishing of election commissions with accommodations, transport and communications, and considers other issues of logistical support for elections;
 - 5) obtains reports from district and precinct electoral commissions on the elections of deputies and chairmen of Soviets, local bodies of executive authority and self-government on questions connected with the preparation and conduct of elections;
 - 6) registers candidates for the position of chairman of a Soviet and his authorized agents, and issues the corresponding certification to them;
 - 7) informs the population of the registered candidates;
 - 8) approves the text of the blank election ballots for the elections of the chairman of the corresponding Soviet, and provides for the printing of the ballots and their supply to the precinct election commissions;
 - 9) counts the results of the elections on the corresponding territory, recognizes the authority of the elected deputies and chairmen of the Soviet, issues the corresponding certification to them, and informs the Soviet and the population of the results of the elections;
 - 10) resolves issues connected with the organization of repeat voting in elections of the chairman of a Soviet, and repeat elections of deputies and chairmen of Soviets;
 - 11) reviews questions of revoking decisions to register candidates in the cases stipulated by this Law;
 - 12) resolves issues connected with organizing the recall of deputies and chairmen of Soviets;
 - 13) organizes the election of deputies in case of the dissolution of a Soviet, sets and organizes elections in other cases of the premature curtailment of the authority of deputies as stipulated by law;
 - 14) organizes the election of the chairman of the Soviet in a case of his recall by the voters and in other cases of the premature curtailment of the authority of the chairman of the Soviet as stipulated by law;
 - 15) reviews applications and complaints regarding the decisions and actions of the district and precinct election commissions, revokes the decisions of commissions and annuls them or makes other decisions on those issues;
 - 16) exercises other authority in accordance with this Law and other laws of Ukraine.
2. The territorial election commission, in exercising the authority of the district election commission, also:
 - 1) monitors the compilation of the lists of voters and their submission for general familiarization;
 - 2) registers candidates for deputy and their authorized agents, and issues the corresponding certification to them;
 - 3) approves the text of the blank election ballots for the elections of deputies to the corresponding Soviet, and provides for the printing of the ballots and their delivery to the precinct election commissions;
 - 4) establishes the results of the elections of deputies by districts;
 - 5) organizes the holding of repeat voting.

Article 16. The creation of district election commissions

1. The district election commission is created by the corresponding Soviet or its executive body and is composed of a chairman, a deputy chairman, a secretary and 4—8 members of the commission with a regard for the proposals of bodies (local groups) of parties, public organizations and labor collectives that operate on the territory of the district, and gatherings of voters, no later than seventy days before the holding of the elections.
2. The bodies (local groups) of parties, public organizations, labor collectives and gatherings of voters, by request of the chairman of the corresponding Soviet and within a time period established by him, submit to the Soviet proposals with regard to representatives on the district election commission, which are reviewed by the Soviet or its executive body.
3. The district election commission informs the citizens of its location and working hours within five days of the day of its creation.
4. The term of authority of the district election commission ends after the recognition of the authority of the deputies and chairman elected to the Soviet by the corresponding territorial election commission.

Article 17. The authority of the district election commission

The district election commission:

- 1) monitors the fulfillment of this Law on the territory of the electoral district;
- 2) exercises the authority envisaged by the second part of Article 15 of this Law;
- 3) reviews questions of revoking decisions on the registration of candidates for deputy in the cases stipulated by this Law;
- 4) organizes the holding of repeat voting and repeat elections, as well as elections of deputies, in cases of the dissolution of a Soviet and other cases of the premature curtailment of the authority of deputies as envisaged by law;
- 5) reviews applications and complaints regarding the decisions and actions of the precinct election commissions, and makes the appropriate decisions;
- 6) exercises other authority in accordance with this Law.

Article 18. Creation of precinct election commissions

1. The precinct election commissions are created by the village, town, city, rayon or city rayon Soviet or its executive body respectively, and are composed of a chairman, a deputy chairman, a secretary and 5—11 members of the commission with a regard for the proposals of locals groups of parties, public organizations and labor collectives that are operating on the territory of those Soviets, and gatherings of voters, not later than forty days before the holding of the elections.
2. The local groups of parties, public organizations, labor collectives and gatherings of voters, by request of the chairman of the corresponding Soviet and within a time period stipulated by him, submit to the Soviet proposals regarding representatives on the precinct election commissions, which are reviewed by the Soviet or its executive body.
3. The precinct election commission informs the citizens of its location and working hours within five days of its creation.
4. The term of authority of the precinct election commission ends after the recognition of the authority of the elected deputies and chairmen of Soviets by the corresponding territorial election commissions.

Article 19. The authority of the precinct election commission

The precinct election commission:

- 1) compiles a list of the voters by electoral precinct;
- 2) submits for general familiarization the list of voters, receives and reviews applications regarding mistakes

in the list and resolves issues of the making of the corresponding changes to it;

- 3) makes changes in the blank election ballot by decision of the corresponding territorial (district) election commission;
- 4) provides for the preparation of accommodations for voting, booths or rooms for secret balloting and ballot boxes;
- 5) creates conditions for the familiarization of voters with data on the candidates on which the voting is being conducted in the precinct;
- 6) organizes the voting for the electoral precinct;
- 7) counts the votes of the voters cast in the election precinct;
- 8) reviews applications and complaints on questions of the preparation of elections and the organization of voting, and makes decisions regarding them;
- 9) exercises other authority in accordance with this Law.

Article 20. Organization of the work of the election commissions

1. The basic form of work of the election commission is the session. A session of an election commission is convened by the chairman of the commission, or in case of his absence by the deputy chairman of the commission. A session of the commission is also convened by request of no less than half of the members of the commission.
2. The session of the election commission is conducted by its chairman or his deputy, or in a case where they do not exercise that function for any reason, the commission designates a chairman from among its members for the specific session.
3. A session of the election commission has a quorum to conduct business if no less than two thirds of the overall composition of the commission takes part in it. Decisions of the commission are made by a majority vote of those present. The deciding vote in case of a tie is considered to be the vote of the chairman of the session. Individuals who are included on the commission and do not agree with the decision made have the right to express a separate opinion, which is appended in written form to the record of the session of the election commission.
4. The commission may make the decision to strip the individuals defined in the fourth part of Article 8 of this Law of the right to take part in a session if they disrupt the conduct of the session.
5. Decisions of election commissions that are made within the limits of their authority are mandatory for fulfillment by all state bodies, bodies of self-government, associations of citizens, enterprises, institutions, organizations and officials.

6. The decisions and actions of precinct and district election commissions may be appealed, within three days of the making of the decision or the commission of the actions, to the district or territorial election commission accordingly. The decisions of the territorial election commission may be appealed to a court, which reviews the question within five days but not later than a day before the day of elections. The decision of the court is final.

Article 21. Legal status of individuals who serve on election commissions

1. Citizens of Ukraine, aside from candidates and their authorized agents, may serve on an election commission.
2. A Soviet may curtail the authority of the corresponding election commission ahead of schedule, or partially replace its composition, if the commission or certain members of it violate this Law.
3. An individual who is on an election commission may be dismissed from his duties on the commission by the body which created the commission:
 - 1) on the grounds defined in the first and second parts of this article;
 - 2) by personal request;
 - 3) in a case of the recall of the subjects who proposed that individual as part of the commission.
4. The confirmation of a new representative on the election commission is performed under the procedure established by this Law.
5. By decision of the election commission, not more than three individuals who are part of the commission may, over the period of an election campaign, be released from the performance of election or official duties at their principal place of work, with the retention of their average wage for three months or salary with a regard for indexing in proportion to the time working on the commission. The wages are paid at the principal place of work, with subsequent compensation to the enterprise, institution or organization at the expense of funds that are allocated for the conduct of elections.

Article 22. Assisting election commissions in the exercise of their authority

1. State bodies, bodies of local self-government, parties, public organizations, enterprises, institutions, organizations and officials are obligated to assist the election commissions in the exercise of their authority and place at their disposal the accommodations, equipment, means of transport, means of communication, and information and materials essential to their work.
2. The election commission has the right to appeal to state bodies, bodies of self-government, party bodies,

public organizations and to enterprises, institutions, organizations and officials on questions associated with the preparation and holding of elections, who are obligated to consider the questions raised and provide the election commission with an answer in not more than three days.

V. Lists of Voters

Article 23. List of voters and procedure for compiling it

1. The list of voters for the elections of deputies and chairmen of Soviets are compiled by the precinct election commission for each electoral precinct, and are signed by the chairman and secretary of the precinct election commission. The precinct election commission may enlist representatives of the public in the compilation of the list of voters.
2. The executive bodies of village, town, city and city rayon Soviets provide an accounting of the voters, and transfer to the precinct election commissions the necessary information on the voters that reside in the corresponding territory.
3. The last, first and middle names, date of birth and residential address of each voter are entered into the list of voters. The voters are entered onto the list of the electoral precinct on whose territory they reside.
4. The lists of servicemen voters who are in military units, as well as the members of the families of servicemen and other voters who reside in areas where military units are stationed, are compiled on the basis of data that is submitted by the commanders of the military units. Servicemen who reside outside the military units are included on the list of voters by place of residence under general principles.
5. The lists of voters by electoral precincts created at hospitals and other fixed treatment facilities, as well as on ships that are at sea on the day of the elections, are composed on the basis of data that is submitted by the supervisors of the designated institutions and the captains of the ships.
6. The last names of the voters are indicated in the list of voters under a procedure that is convenient for the organization of the voting.

Article 24. Procedure for the inclusion of citizens on the list of voters

1. All citizens of Ukraine who have reached or will have reached 18 years of age by the day of the elections, reside at the time of the compilation of the list on the territory of the given electoral precinct and have the right to take part in the voting are included on the list of voters.
2. A voter may be included on the list of voters for only one electoral precinct.

3. Voters who reside on the territory of a given electoral precinct and for any reason have been omitted from the list are included on it by decision of the precinct election commission, or in a case stipulated by this Law, by decision of a court.

Article 25. Familiarization of citizens with the lists of voters. Right to appeal mistakes in the list of voters

1. The lists of voters are submitted for general familiarization fifteen days before elections. The lists of voters are submitted for general familiarization two days before the elections at electoral precincts created in hospitals and other fixed treatment facilities, as well as in military units in exceptional cases and on ships that are at sea on the day of elections.
2. Every citizen is provided with the opportunity to become familiar with the list of voters, and verify the correctness of the data that pertains to him, at the accommodations of the precinct election commission.
3. Every voter is granted the right to appeal a failure to be included or incorrect inclusion on the list or exclusion from the list of voters, as well as inaccuracies in the data pertaining to himself. An appeal of an error in the list is reviewed by the precinct election commission, which is obligated to review the application within two days, or immediately on the eve of a day of elections, and make the necessary corrections to the list or issue to the applicant a copy of a soundly based decision to decline his application. This decision may be appealed to a court no later than five days before the elections, and must be reviewed within three days. The decision of the court is final. Corrections to the list of voters in accordance with a court decision are made immediately by the precinct election commission.

Nomination and Registration of Candidates

Article 26. Procedure for the nomination of candidates

1. The nomination of candidates begins seventy days before, and ends forty five days before, the day of the elections.
2. Parties and public organizations may nominate candidates:
 - to village, town and city (cities of rayon subordination) Soviets, at gatherings of the local groups that operate on the territory of the corresponding Soviet and number no fewer than 15 members;
 - to rayon, city and city rayon Soviets, at gatherings (conferences) and sessions of rayon (city, city rayon) party bodies or public organizations that unite no fewer than 50 members;
 - to oblast Soviets, at gatherings (conferences) and sessions of oblast bodies of parties and public organizations that unite no fewer than 100 people.

A party or public organization has the right to nominate only one candidate for deputy for each electoral district and one candidate for the position of chairman of the Soviet.

3. Labor collectives may nominate candidates at gatherings (conferences) of the collectives. The right to nominate candidates is granted therein to labor collectives of a size of:

—no fewer than 20 people, to village, town or city (city of rayon subordination) Soviets;

—no fewer than 100 people, to rayon, city (city of oblast subordination) or city rayon Soviets;

—no fewer than 200 people, to oblast or Kiev and Sevastopol city Soviets.

A labor collective has the right to nominate only one candidate for deputy for the electoral district on which the collective is located, and one candidate for the position of chairman of the Soviet.

4. Assemblies of voters that reside on the territory of the corresponding Soviets are empowered to nominate candidates if there takes part in them:

—no fewer than 20 voters, to village, town or city (city of rayon subordination) Soviets;

—no fewer than 100 voters, to rayon, city (city of oblast subordination) or city rayon Soviets;

—no fewer than 200 voters, to oblast or Kiev and Sevastopol city Soviets.

Assemblies of voters have the right to nominate only one candidate for deputy for the electoral district on whose territory the participants in the gatherings reside, and one candidate for the position of chairman of the Soviet.

5. Each participant in an assembly (conference) or session where a candidate is nominated has the right to propose his own candidacy for discussion.
6. One and the same individual may not be a candidate for deputy and a candidate for the position of chairman of one and the same Soviet.
7. A candidate is considered to be nominated if more than half of the participants in the corresponding assembly (conference) or session has voted for him. The candidate is notified of the decision made.
8. A protocol is composed on the nomination of the candidate. The protocol indicates the date and place where the assembly (conference) or session was held, the number of participants and the number of votes cast for and against the nomination of the candidate, as well as data on the candidate (last, first and middle names, place and date of birth, citizenship, party affiliation, position (job), places of work and habitation).

9. The protocol is sent to the corresponding district (territorial) election commission under the procedure stipulated by it.
10. Individuals who are nominated to be candidates make a monetary deposit in the amount of:
 - five times the minimum wage, for candidates for deputy to rayon, city (city of republic and oblast subordination) and oblast Soviets;
 - tens times the minimum wage, for candidates for the position of chairman of a rayon and city (city of oblast subordination without rayon subdivisions) Soviets, and fifteen times the minimum wage for chairman of a city (city with rayon subdivisions) Soviet.

The monetary deposit is returned to the individual who paid it if the candidate receives not less than five percent of the ballots of voters taking part in the voting in the elections. A deposit that is not subject to return is transferred to the corresponding local budget.

Article 27. Specific requirements for candidates for the position of chairman of a rayon, city (city of republic and oblast subordination) and oblast Soviet

1. A candidate for the position of chairman of a rayon, city (city of republic and oblast subordination) and oblast Soviet nominated in accordance with this Law may be registered by the election commission if his candidacy is supported with their signatures by voters who are not less than one percent of the population that resides on the territory of the corresponding Soviet. The quantity of signatures in support of a candidate for the position of chairman of a rayon Soviet may not be more than one thousand therein, and for the position of chairman of an oblast Soviet not more than ten thousand.
2. The territorial election commission, after receiving the protocol of nomination of a candidate for the position of chairman of a Soviet, issues to him the necessary quantity of blank signature pages for the gathering of signatures of voters in his support.
3. The signature sheet shall contain the name of the corresponding Soviet and the last, first and middle names of the candidate, as well as information on the individual who is gathering the signatures (last, first and middle names, place of work and address). The signature list has places for the voters who support a candidate to indicate their last, first and middle names, the day, month and year of birth, place of residence, and series and number of passport or other document that attests the identity of the voter, as well as the personal signature of the voter.
4. Signatures in support of a candidate are gathered by the candidate himself or individuals authorized by him. The signature sheet is filled in by the individual who is gathering the signatures, on the basis of data

indicated in the passport or other document that attests to the person of the voter. The correctness of the data on the voter entered on the signature sheet and the fact of his support for the candidate are attested by the personal signature of the voter. Each voter may support by his signature only one candidate for each Soviet.

5. Each signature sheet indicates the overall number of voters entered on it. The list is signed by the individual who gathered the signatures. The completed signature sheets are turned in by the candidate to the corresponding territorial election commission no later than thirty days before the day of the elections.
6. The commission checks and records the signature sheets received. In a case where the same voter has signed support for more than one candidate, all of his signatures are deemed invalid. Forged signatures, as well as signatures obtained by force, are considered to be invalid if the voter who was forced to sign or whose signature was made so declares in writing. If the amount of signatures becomes less than the necessary amount for the indicated reasons, the candidate is offered a three-day period to gather the quantity of signatures that is lacking. The candidate is not registered if this condition is not met.

Article 28. Registration of candidates

1. The registration of candidates is accomplished by the corresponding district (territorial) election commission. The registration begins sixty days, and ends thirty days, before the day of the elections.
2. The decision to register a candidate is made by the corresponding commission in the presence of these documents:
 - protocol of nomination of the candidate;
 - statement of candidate of consent to being on the ballot;
 - declaration of the candidate's income for the prior year, composed in a form that is defined by the Ministry of Finance of Ukraine.

A document that confirms the payment of the monetary deposit by the candidate is appended to the indicated documents for the registration of a candidate for deputy and candidate for the position of chairman of a rayon, city (cities of republic and oblast subordination) and oblast Soviet.

Signature sheets with the necessary quantity of signatures of voters in support of the candidacy are also submitted to the election commission for the registration of a candidate for the position of chairman of a rayon, city (cities of republic or oblast subordination) and oblast Soviet.

A candidate for the position of chairman of a village, town, rayon, city, city rayon or oblast Soviet, if he

lives outside the boundaries of the corresponding administrative-territorial entity, also consents to reside permanently in the corresponding populated area in the event of his election at the same time as the statement of consent to be on the ballot.

3. A decision to reject registration may be appealed by a candidate or his authorized representative within three days under the procedure stipulated by this Law.
4. A candidate for deputy may be on the ballot for only one electoral district, and a candidate for the position of chairman of the Soviet for only one Soviet.
5. An individual who has been nominated as a candidate and is on an election commission is considered to be released from his duties on the commission from the time of his registration as a candidate.
6. The district (territorial) election commission, no later than five days after the registration of candidates, publishes the registration in the press or makes it known to the voters by other means with an indication of the last, first and middle names, year of birth, party affiliation, position (occupation), and place of work and residence of each candidate.

Article 29. Revoking a decision to register a candidate

1. The district (territorial) election commission may revoke its decision to register a candidate at his own request, in a case of revocation of the decision to nominate the candidate by the subject who nominated him, or the loss of voting rights or the right to be on the ballot by the candidate for the given electoral district in accordance with prevailing legislation.
2. The district (territorial) election commission informs the population of the electoral district (or corresponding territory) of the revocation of a decision to register a candidate.

Article 30. Authorized persons of the candidate

1. A candidate may have authorized agents who assist him in conducting the election campaign, campaign for the election of his deputy (chairman of the Soviet), and represent the interests of the candidate in relations with state bodies, bodies of self-government, associations of citizens, labor collectives and voters, as well as election commissions.
2. A candidate for deputy may have no more than three, a candidate for the position of chairman of a rayon or oblast Soviet ten, and other Soviets five authorized agents. The authorized agents work on a voluntary basis.
3. The candidate designates authorized agents at his own discretion, and applies for their registration to

the corresponding district (territorial) election commission. The election commission issues certification to the authorized agents after their registration.

4. A candidate has the right to replace an authorized agent by notifying the corresponding district (territorial) election commission of it. The authorized agent may relinquish his authority at his own request.
5. The authority of authorized agents begins starting on the day of their registration by the district (territorial) election commission, and ends on the day of the adoption of the resolution by the territorial election commission on the results of the elections.

Article 31. Procedure for the nomination and registration of a candidate in place of one who has withdrawn

1. In a case where a candidate withdraws after his registration, if no other candidates remain in the corresponding electoral district (on the territory of the corresponding Soviet), the district (territorial) election commission appeals to party bodies, public organizations, labor collectives and the voters with a proposal to nominate a new candidate.
2. In a case of the withdrawal of a candidate less than fifteen days before the day of elections, the elections for the corresponding electoral district (on the territory of the corresponding Soviet) are held two months after the general elections.
3. The nomination of a candidate, as well as his registration, is performed under the procedure stipulated by this Law.

Article 32. The election ballot

1. The election ballot for the election of a deputy should contain the name of the Soviet and the number of the electoral district, and for the election of the chairman of a Soviet, the name of the Soviet to which the election is being conducted.
2. The election ballot contains, in alphabetical order, all of the candidates for deputy (candidates for the position of chairman of the Soviet) registered for the corresponding electoral district (territory of the corresponding Soviet) with an indication of the first, middle and last, first and middle names, date of birth, party affiliation, position (occupation) and place of work.
3. The election ballots are published in the state language or in a language that is used by the majority of the population of the electoral district (territory of the corresponding Soviet).
4. If a candidate has withdrawn from the ballot after the publication of the election ballots, the district (territorial) election commission makes the decision to republish the election ballots or to delete the name of that candidate from the election ballot.

- 5 Ten percent of the election ballots are delivered to the precinct election commissions no later than fifteen days before the elections, and the remainder three days before the elections.
6. The election ballots are subject to accounting. The chairman, deputy chairman, secretary and members of the election commissions bear personal responsibility for their safekeeping and use in accordance with this Law. The corresponding mark is made on the eve of the voting for the purpose of the protection of each election ballot by the precinct election commission.

VII. Guarantees of the Activity of Candidates

Article 33. The right of a candidate to speak at gatherings, make use of the mass media and obtain information

1. Candidates, from the time of their registration by election commissions, have an equal right to speak at pre-election gatherings, councils, sessions and meetings, and to make use of the mass media.
2. State bodies, bodies of self-government and the administration of state enterprises, organizations and institutions are obligated to assist candidates in organizing meetings with voters and receiving necessary information and reference materials, and grant them accommodations for the holding of functions as stipulated by this Law.

Article 34. Release of a candidate from the performance of election or official duties during participation in an election campaign

A candidate, after registration, may at his request be released from the performance of election or official duties, with the retention of the average wage over the last three months or salary with an allowance for indexing, on days of the holding of meetings with voters and other functions stipulated by this Law. The pay is paid by the last place of work with subsequent compensation to the enterprise, institution or organization out of funds allocated for the conduct of the elections.

Article 35. Right of a candidate to free passage

A candidate has the right to free passage on all means of passenger transport (with the exception of taxis) within the confines of the territory of the corresponding Soviet.

Article 36. Inviolability of the candidate

A candidate may not be subjected to criminal liability, arrested or subjected to administrative sanctions that are imposed under judicial procedure on the territory of the

corresponding Soviet without the consent of the corresponding territorial election commission.

VIII. Pre-Election Campaigning

Article 37. Pre-election campaigning by a candidate

A candidate may advance a program of his future activity. The program shall not contradict the Constitution and laws of Ukraine.

Article 38. Pre-election campaigning

1. Citizens of Ukraine, associations of citizens and labor collectives have the right to discuss freely and thoroughly the pre-election programs of the candidates and their political, business and personal qualities, as well as the platforms of parties that have nominated candidates, and to campaign for or against a candidate in discussions, at gatherings, rallies and, in accordance with prevailing legislation, in the press and on television and radio.
2. Candidates and their authorized agents hold meetings with voters at gatherings and in other forms convenient for voters. The voters are notified in advance of the time and place for the holding of gatherings.
3. The organizers and participants in gatherings and other pre-election functions bear responsibility for the upholding of prevailing legislation and public order while they are being conducted.

Article 39. Materials of pre-election campaigning

1. The district (territorial) election commission, out of the funds allocated for the conduct of elections, provides for the publishing of materials on the candidates. The circulation is determined by the territorial commission, and should be the same for all candidates.
2. For the publication of pre-election materials on a candidate, he should submit, no later than thirty days before the day of elections to the district (territorial) election commission, the basic provisions of his pre-election program and an autobiography in a total amount of up to two pages of double-spaced typewritten text.
3. The bodies of local self-government allocate space and furnish facilities at public places to accommodate the materials of pre-election campaigning and ensure the availability of materials which are issued by the district (territorial) election commission, as well as information published by it as stipulated by this Law. They may also decide to prohibit the placement of those materials at other places.

Article 40. Restrictions in the conduct of pre-election campaigning

1. The use by candidates or their authorized agents of mass media that are subordinate to them as officials for the organization of campaigning is prohibited. In the case of a violation of this requirement, the election commission that registered the corresponding candidate may appeal to the court with a request to revoke the decision to register him, which court considers the request within five days but not later than one day before the day of elections.
2. Pre-election campaigning is restricted in organizations, formations and units of the Ministry of Defense, National Guard, Ministry of Internal Affairs, State Committee for the Defense of the State Border, Security Service and Civil Defense of Ukraine. The meetings of candidates with voters among servicemen in the indicated departments are organized by the district (territorial) election commission, with the mandatory invitation of all registered candidates, no later than three days before the meeting. The visiting of organizations, formations and military units by individual candidates, their authorized persons, and representatives of parties and public organizations is prohibited after the start of the election campaign. Only the dissemination of printed campaign materials prepared by the district (territorial) election commission is permitted.
3. The mass media are obligated to refrain from making public unverified material that compromises candidates, a party or a public organization that has nominated candidates. When the media divulges compromising material on a candidate, party or public organization in the mass media, they are obligated to grant the corresponding candidate, representative of the party or public organization an opportunity to refute it no later than five days before the elections.
4. All disputes pertaining to pre-election campaigning are resolved by the district (territorial) election commission, as well as under judicial procedure.
5. Campaigning on the day of elections (the dissemination of election leaflets, posters or appeals to the voters to vote for or against candidates or to boycott the elections in any form) is prohibited.

IX. Procedure for Voting and Establishing the Results of Elections**Article 41. Time and place of voting**

1. The voting is conducted on election day from 7:00 AM to 8:00 PM. The precinct election commission notifies the voters no later than fifteen days before the election of the time and place of the voting.
2. The precinct election commission of electoral precincts created at hospitals and other fixed treatment facilities, in military units and in difficult-to-reach

areas, as well as on ships that are at sea on the day of elections, may announce an end to voting earlier than 8:00 PM if all of the voters included on the list have voted.

Article 42. Organization of voting

1. The voting is conducted at specially designated accommodations, in which there should be set up a sufficient quantity of booths or rooms for secret balloting, designated places for the issue of blank election ballots and ballot boxes in place. The ballot boxes are placed in such a manner that voters approaching them must pass through a booth or room for secret balloting. The entrance to the booths or rooms for secret voting and the way out, as well as the path from them to the ballot boxes and the boxes themselves, should be in the full view of the members of the precinct election commission. Official information on the candidates, as well as the text of this Law, should be present at the voting facilities at places accessible to the voters.
2. The responsibility for the organization of voting, assurance of secrecy in the expression of the will of the voters, the set-up of the facilities and their maintenance in the necessary order lies with the precinct election commission. A voter may be present in the voting facility only for the time necessary to vote.
3. The ballot boxes are checked, sealed or stamped by the head of the precinct election commission in the presence of the members of the commission on the day of the elections before the start of voting. A control sheet signed by the members of the commission and the voter who is the first to vote is then put into the ballot box. The control sheet indicates the time of its placement into the ballot box.
4. Each voter votes individually. Voting on behalf of other persons is not permitted. The blank election ballots are issued by the precinct election commission, based on the list of voters in the electoral precinct, on the presentation of a passport or other document by the voter that certifies his identity. The voter is crossed off the list of voters when receiving a blank election ballot (ballots).
5. In cases where certain voters, owing to their state of health or for other valid reasons, are not able to be present at the voting place, the precinct election commission at their request may authorize no fewer than two members of the commission to organize voting at the locations where those voters are present. An excerpt from the list of voters in the form of a list entrusted by the chairman of the precinct election commission to the corresponding members of the commission, together with the necessary quantity of blank ballots, is made therein. A voter, when voting at his location, is crossed off from the list of voters upon the receipt of the blank ballot (ballots), and votes while upholding the requirements of this Law. The corresponding notation is made in the list of voters

after the voting is conducted at his location. The excerpt from the list of voters is added to the list of voters.

Article 43. Voting procedure

1. The blank election ballot is filled in by the voter in the booth or room for secret balloting. The presence of anyone besides the voter is prohibited when filling out the ballot. A voter who does not have the ability to fill in the ballot independently may request the presence of another person at his discretion in the booth or room for secret balloting, except for members of the election commission, candidates who are on the ballot for the given electoral district or their authorized agents.
2. A voter may leave on the ballot the name of only one candidate or leave none, crossing out the names of those candidates against whom he is voting.
3. The voter places the completed election ballot into the ballot box.
4. The opening of the ballot box before the completion of voting is prohibited.

Article 44. Voting ahead of time

When a voter changes his place of residence during the period between the submission of the lists of voters for general familiarization and the day of the elections, he may vote ahead of time. In such a case the precinct election commission, at the request of the voter and upon his presentation of his passport or other document that attests to his identity, issues him a blank election ballot. The voter fills in the ballot and puts it into a sealed ballot box. The ballot box is kept by the precinct election commission, and is opened on the day of general voting during the counting of the votes.

Article 45. Procedure for counting the votes in an election precinct

1. The counting of votes at an electoral precinct is performed by the precinct election commission separately for each electoral district and for each candidate.
2. The precinct election commission, during the counting of the votes, should maintain the following sequence of actions:
 - 1) after the chairman of the commission has announced the end of the voting, the election commission cancels and totals the blank election ballots not used, and packs them in special packages for each district and Soviet. The number of the electoral precinct, the district, the name of the Soviet and the number of unused ballots is indicated on the package. The package is sealed and signed by the chairman of the commission or his deputy or secretary;

- 2) the election commission establishes, according to the list of voters, the overall number of voters in the precinct for each electoral district, as well as the number of voters who received blank ballots;

- 3) the chairman of the election commission, in the presence of the members of the commission, verifies the integrity of the seals or stamps on the ballot boxes, opens them and verifies the presence of the control sheets in the boxes;

- 4) based on the ballots that are found in the ballot boxes, the commission, within the limits of the given electoral precinct, establishes for each electoral district (candidate):

—the total number of voters that took part in the election;

—the number of votes cast "for" and the number of votes cast "against" each candidate;

—the number of ballots deemed invalid.

3. The names of citizens additionally written in by voters on the ballots are not taken into account.

4. Election ballots that are not of the stipulated form, and ballots on which more than one candidate is left in voting, as well as ballots on which the mark of the corresponding precinct commission is missing, are deemed invalid. In a case where doubts arise pertaining to the validity of an election ballot, the question is resolved by the precinct election commission by means of a vote.

5. The election commission then packs the ballots in accordance with the requirements of Paragraph 1 of the second part of this article.

6. The results of the count of the votes are reviewed at a session of the election commission and entered into the record. The record is signed by the chairman, deputy chairman, secretary and members of the commission, and sent immediately to the corresponding district (territorial) election commission. The blank ballots are transferred for safekeeping to the corresponding district (territorial) election commissions under a procedure stipulated by it.

Article 46. Establishment of the results of elections for deputy by election district and for chairman of the Soviet

1. The district (territorial) election commission, based on the minutes of the precinct election commissions, establishes the overall number of voters by district (for the territory of the corresponding Soviet), the number of voters who received blank ballots, the number of voters who took part in the voting, the number of votes cast "for" and the number of votes cast "against" each candidate for deputy (for the position of chairman of the Soviet) and the number of ballots that were deemed invalid.

2. The candidate for deputy who has received the greatest number of votes from the voters who took part in the voting compared to the other candidates is considered elected. A candidate for the position of chairman of a Soviet is considered elected when the requirements stipulated for a candidate for deputy are met, provided that no less than ten percent of the voters who are entered on the list of voters voted for him.
3. The elections of deputies and chairmen of Soviets are deemed not to have taken place if less than half of the overall number of voters entered on the lists of voters took part in them, as well as owing to the withdrawal of all of the candidates registered in a district (the territory of a Soviet).
4. The district (territorial) election commission may deem an election invalid both for individual electoral precincts and for the district (territory of the Soviet) as a whole, if violations of this Law that had an effect on the results of the voting were committed in the course of the voting or during the counting of the votes. Complaints of such violations are submitted to the district (territorial) election commission no later than the next day after the elections, and are considered by it no later than in three days. The decision of the district (territorial) commission may be appealed to a court within three days, which court is obligated to consider the complaint within five days. Candidates and their authorized agents have the right to appeal a decision of a district (territorial) election commission.
5. The results of elections by election district are established at a session of the district (territorial) election commission, and are entered into the record. The record is signed by the chairman, deputy chairman, secretary and members of the commission, and is sealed with the seal of the corresponding election commission or the body that created the election commission. The record is sent no later than the day following the elections to the territorial election commission under a procedure stipulated by it.
6. The district (territorial) election commission, no later than five days after the holding of elections, informs the population of the results of the elections for deputy by electoral district and for chairman of the Soviet. The notification includes the total number of voters included on the lists of voters, the number of voters who took part in the voting, the number of votes cast "for" and the number of votes cast "against" each candidate, the number of invalid ballots, and the name and number of the electoral precincts or the district as a whole where the elections were deemed invalid or not to have taken place.

X. Establishing and Publishing the Results of Elections

Article 47. The adoption of the resolution on the results of the elections, and making them known to the population

1. The territorial election commission, based on the record of the results of the elections of deputies by electoral districts and the chairman of the Soviet, adopts a resolution on the results of the elections for the Soviet as a whole, and recognizes the authority of the elected deputies and the chairman of the Soviet.
2. An announcement of the results of the elections and the list of elected deputies in alphabetical order with an indication of the last, first and middle names, party affiliation, position (occupation), place of work and residence of each deputy, the electoral district from which he was elected, as well as the last, first and middle names, party affiliation and place of residence of the elected chairman of the Soviet, is published in the press or is made known to the population of the corresponding territory by other means no later than ten days after the conduct of the elections.
3. The resolution of the territorial election commission on the results of the elections may be appealed by a candidate or his authorized person under judicial procedure for three days after the promulgation of the results of the elections by the territorial election commission. The court shall consider the complaint within five days from the time of its receipt. A decision made in accordance with this Law is made by the territorial election commission within two days by decision of the court.
4. The territorial election commission informs the Soviet of the results of the elections of deputies and the chairman of the Soviet for the first session of the new convocation of the Soviet.

XI. Repeat Voting, Repeat Elections, Elections of Deputies and Chairmen of Soviets to Replace Departed Ones. Elections in Newly Created Administrative-Territorial Entities

Article 48. Repeat voting

1. If more than two candidates are on the ballot in an electoral district (territory of a Soviet) and two or more candidates have received the same number of votes, which makes it impossible to designate the elected deputy (chairman of the Soviet), the corresponding district (territorial) election commission makes the decision to conduct repeat voting in the district (on the territory of the Soviet).
2. Repeat voting is conducted no later than two weeks, with the requirements of this Law upheld. An announcement of the repeat voting is made to the voters.
3. A candidate who has received the most votes from voters who took part in an elections compared to the other candidates is considered elected.

Article 49. Repeat elections

1. If there were no more than two candidates on the ballot for an electoral district (territory of a Soviet) and neither of them was elected, or the elections are deemed such that they did not take place or are invalid, the territorial election commission makes the decision to conduct repeat elections in the district or on the territory of the Soviet. It may appeal to the corresponding Soviet with the proposal to conduct elections with district and precinct election commissions with a new composition therein.
2. The repeat elections are called no later than a month after the general elections. The voting takes place at the same voting precincts and with the lists of voters that were compiled for the conduct of the general elections. The creation of election commissions, the nomination and registration of candidates and other measures are conducted under the procedure stipulated by Article 50 of this Law. An announcement of the conduct of repeat elections is made to the voters.
3. Candidates who have withdrawn their candidacy or were not elected in elections that were held and were not deemed invalid may not be on the ballot in repeat elections. Citizens against whom complaints were filed regarding their registration as candidates or citizens as a consequence of whom the elections were deemed invalid, as well as citizens who have been deemed by a court to be guilty of the offenses stipulated in Article 55 of this Law and against whom the sentence of a court has taken legal force, may not be on the ballot in repeat elections.

Article 50. The conduct of elections for deputies and chairmen of Soviets to replace those who have departed

1. In a case where the authority of certain deputies or the chairman of the Soviet has been deemed invalid by the corresponding territorial election commission, as well as in a case of the recall of a deputy or chairman of a Soviet or the early curtailment of their authority for other reasons, new elections are conducted in the corresponding electoral districts (for the territory of the Soviet) within two months from the time of removal of the deputy (deputies) or the chairman of the Soviet.
2. The elections are called no later than a month before they are held, and are organized with the upholding of the requirements of this Law. District election commissions and electoral precincts are created five days, and precinct election commissions seven days, after the calling of the elections therein; the nomination of candidates begins eight days and concludes ten days after the day of calling of the elections; the registration of candidates begins twenty days and concludes fifteen days before the elections. The lists of voters are submitted for general familiarization ten days before the elections. Voters who change their place of residence before the day of the elections have the right to vote ahead of time as of that time.

3. Precinct election commissions may not be created, and their functions may be performed by the corresponding territorial election commissions, for the election of deputies to village, town and city (cities of rayon subordination) Soviets.
4. In a case of the departure of a deputy or chairman of a Soviet less than six months before the end of the term of authority, elections for a new deputy or chairman of a Soviet are not held.

Article 51. The conduct of elections in a case of the early curtailment of the authority of a Soviet and in newly created administrative-territorial entities

1. In a case of the early curtailment of the authority of a Soviet and the calling of new elections in accordance with prevailing legislation, they are conducted under the procedure stipulated by Article 50 of this Law. The corresponding election commissions are created by a higher Soviet or its executive body for this purpose.
2. The elections of deputies of Soviets in newly created administrative-territorial entities are conducted in cases where on the territory that has left to become part of the newly created village Soviets, towns, rayons, cities, city rayons or oblasts, the creation of a Soviet and its bodies is impossible owing to the absence or insufficient quantity of deputies elected to the Soviet.
3. The elections of deputies and chairmen of an oblast Soviet are called by the Supreme Soviet of Ukraine, of deputies and chairmen of a rayon and city (cities of oblast subordination) Soviet by the oblast Soviet, of deputies and chairmen of a city rayon Soviet by the city Soviet, of deputies and chairmen of the city (cities of rayon subordination), town or village Soviet by the rayon Soviet, no later than two months from the day of creation of the administrative-territorial entity, and are conducted under the procedure stipulated by Article 50 of this Law. The corresponding election commissions are created three days after the calling of the elections by the body that called the elections.

XII. Election Documents and Procedure for Their Safekeeping. The Ballot Box

Article 52. Forms of election documents, type of ballot box

1. The forms of the signature sheet for the gathering of signatures of voters in support of a candidate for the position of chairman of a rayon, city (cities of republic and oblast subordination) or oblast Soviet, the list of voters, records of the election commissions, the blank election ballots, the certifications of a candidate for deputy and candidate for the position of chairman of a Soviet, authorized agent of a candidate, certification of the election of a deputy or chairman of a Soviet and certification of a deputy or

chairman of a Soviet, as well as the type of ballot box, are established by the Supreme Soviet of Ukraine or, by its authorization, by the Presidium of the Supreme Soviet of Ukraine.

2. The forms of other election documents are established by the corresponding territorial election commission.

Article 53. Procedure and time periods for the safekeeping of election documents

1. The office correspondence of district and precinct election commissions is transferred to the corresponding territorial election commissions after the conclusion of their authority.
2. The procedure and time periods for the safekeeping of election documents are established by the Supreme Soviet of Ukraine or, by its authorization, by the Presidium of the Supreme Soviet of Ukraine.

Article 54. Expenditures connected with elections

1. The expenditures connected with the preparation and conduct of elections are made by the election commissions from the election funds that are created by the territorial election commissions out of the funds that are allocated for the conduct of elections. The territorial election commission has the status of a legal person, and is the manager of the election fund. The size of that fund is approved by the corresponding Soviet.
2. Citizens of Ukraine, associations of them and legal persons registered in Ukraine, with the exception of enterprises with foreign investments, as well as enterprises, institutions and organizations that are maintained at the expense of the corresponding local budget, may make their own contributions to the election fund of the territorial commission.
3. A candidate may utilize funds for pre-election campaigning from an individual election fund that is created out of the personal funds of the candidate, the funds of political parties, public organizations, the contributions of citizens of Ukraine and legal persons registered in Ukraine, with the exception of enterprises with foreign investments. The size of the individual election fund of the candidate is established by the territorial election commission, but should not exceed 30 times the minimum wage for village, town or city (cities of rayon subordination) Soviets, 50 times the minimum wage for rayon and city (cities of oblast subordination without rayon subdivisions), and 100 times the minimum wage for city (cities with rayon subdivisions) and oblast Soviets.
4. The local office of the Savings Bank of Ukraine, by written request of a candidate, is required to open an account with the name "Election Fund" in the name of the corresponding candidate, to whom is issued a special checkbook for the amount of the election fund.

5. Monitoring the gathering and use of the funds of the individual election funds of the candidates is accomplished by the district (territorial) election commission.

Article 55. Liability for violations of this Law

Individuals who interfere by means of violence, deception, threats or other means in the free exercise of the right to vote and be elected of a citizen of Ukraine or to conduct pre-election campaigning, or who calls or campaigns for the boycott of elections, as well as members of election commissions and officials who permit such violations of this Law, bear liability as stipulated by prevailing legislation.

President of Ukraine L. Kravchuk

City of Kiev, 24 February 1994

Decree on Implementation

944K0900B Kiev HOLOS UKRAYINY in Ukrainian
12 Mar 94 p 10

[Text of decree]

[Text]

Decree of the Supreme Soviet of Ukraine on the Procedure for the Entry Into Force of the Law of Ukraine "Elections of Deputies and Chairmen of Village, Town, Rayon, City, City Rayon and Oblast Soviets"

The Supreme Soviet of Ukraine decrees:

1. The entry into force of the Law of Ukraine "Elections of Deputies and Chairmen of Village, Town, Rayon, City, City Rayon and Oblast Soviets" as of the day of its publication.
2. That the authority to create election commissions and electoral precincts in accordance with Article 52 of the Law of Ukraine "Elections of Deputies and Chairmen of Village, Town, Rayon, City, City Rayon and Oblast Soviets," by authorization of the Soviet, is exercised by the chairman of the Soviet, together with the credentials commission, and on questions of deputy activity and ethics, with the heads of the other standing commissions of the Soviet, until the formation of the executive committees of the oblast, Kiev and Sevastopol city, rayon, Kiev and Sevastopol city rayon Soviets.

That it is established that the chairmen of the village, town, rayon, city, city rayon and oblast Soviets are granted the same authority as is held by a deputy to the corresponding Soviet. The guarantees that are held by the deputies of the Soviets extend to those officials as well.

3. To authorize the Presidium of the Supreme Soviet of Ukraine:

- to establish the forms of election documents and the type of ballot box, and to define the procedure and time periods for the safekeeping of election documents, in accordance with Articles 52 and 53 of the Law of Ukraine "Elections of Deputies and Chairmen of Village, Town, Rayon, City, City Rayon and Oblast Soviets";
- to develop an estimate of the expenditures connected with the preparation and conduct of elections;
- to provide for the publication of this Law in mass circulation.

4. The Cabinet of Ministers of Ukraine is to:

- provide financing for the coming elections of deputies and chairmen of local Soviets out of the funds of the state budget of Ukraine, and to provide the corresponding logistical support for the election campaign;
- prepare and submit for the consideration of the Supreme Soviet of Ukraine proposed changes and amendments in legislation that arise out of the Law of Ukraine "Elections of Deputies and Chairmen of Village, Town, Rayon, City, City Rayon and Oblast Soviets."

5. That the local Soviets, in accordance with this Law, will define the number of electoral districts, form the election commissions and carry out measures to create the necessary conditions for their effective operation.

6. That the Law of the Ukrainian SSR "The Elections of Deputies of Local Soviets of People's Deputies of the Ukrainian SSR" is considered to be no longer valid with the entry into force of the Law of Ukraine "Elections of Deputies and Chairmen of Village, Town, Rayon, City, City Rayon and Oblast Soviets."

Chairman of the Supreme Soviet of Ukraine I. Plyushch
City of Kiev, 24 February 1994

Attraction of Communism Explained

944K1128B Kiev UKRAYINA MOLODA in Ukrainian
15 Apr 94 p 3

[Unattributed report: "The Ideas of Communism Are Alive in Ukraine"]

[Text] The results of the latest elections in Ukraine attest to the fact that the ideas of communism are still alive and—at times—prevail. Why is that?

In the opinion of respondents questioned during a republic-wide investigative poll, the most attractive features of the communist regime were as follows: economic

stability, guaranteed work, and the absence of nationality-type or ethnic conflicts. That is to say, it concerns what is lacking nowadays (with the partial exception of the last-named factor). Only 8 percent of those polled consider that communism had no positive traits at all.

In order to gain a more complete idea of the image of communism which had been formed in the social consciousness, the respondents were also requested to cite its most negative features. It turns out that communism's "greatest sin" is its bureaucracy (so think one-third of the respondents), as well as oppression of the people and corruption. Some 13 percent have remained steadfast and unshaken dreamers about the cloudless serenity of the communist past.

Such a distribution of opinions is combined with an overall decrease in the adherents of the communist idea. Their number has been reduced by more than two-thirds and now amounts—according to data drawn from the above-mentioned poll—to approximately 15 percent. Moreover, 11 percent have not yet determined their own political priorities. In contrast, the proportion of communism's opponents has doubled and now amounts to 74 percent. One-third of all the supporters of communist ideas comprise pension-age respondents, whereas only one-tenth of those under the age of 30 maintain such a political orientation. It is noteworthy that among former communists nowadays there are twice as many persons who are indifferent to communist ideas than there are faithful adherents to these ideas (the figures are 60 percent and 30 percent respectively).

The logic of those voters who cast their ballots for the communists is roughly as follows: "Since the democrats and the members of the independence movement were incapable of providing us with a better life, I am voting for the communists, that is, for the good old days." However, few of these voters really think that those communists who succeeded in being elected to the office of deputy will carry out their pre-election promises.

By the way, the telephone number to call in order to contact the Sotsis-Gallup organization in Kiev is: 28-64-32.

Kiev Elections Failure Explained

944K1128A Kiev UKRAYINA MOLODA in Ukrainian
19 Apr 94 p 3

[Article by Stepan Romanchuk: "Ukraine Was the Big Loser in the Elections"]

[Text] Contrary to the bold statements made by the leaders of the Ukrainian National Democracy, the democrats suffered a stunning defeat in the 1994 elections. The Rukh faction in the parliament has now been reduced from 60 to 28 persons, the Democratic Party went from 30 down to 5 persons, and only the URP [Ukrainian Republican Party] maintained a stable number of 9 persons. However, the left-wingers are

celebrating a clear victory. Whereas in the old parliament the left-wing portion of the political spectrum was represented by the ideologically vague "Group 239," nowadays we have 118 precisely oriented party deputies (from the KPU [Communist Party of Ukraine], SPU [Socialist Party of Ukraine], and SelPU [Peasants' Party of Ukraine]) plus an unknown number of non-party persons.

Having received a push in the Donets Basin, the left-wing wave rolled all the way to Kiev, where—even though an absolute majority of the voters did cast their ballots for the democrats—only 5 of their deputies out of 23 were elected. The reasons why the National Democrats lost at least 16 seats in the capital have become evident following an analysis of the results of the second round of balloting. In Kiev elections took place only in those districts where there were political contests between candidates. In those places where two representatives of the National Democracy were contesting a seat, or where democrats were running against members of the UNA [Ukrainian Assembly] the left-wing voters ignored the elections. The split between the "Ukrayina" bloc, which includes Rukh pro forma, and Rukh itself, which decided to play its own election game—placing the party principle above all else—together with a 50-percent rate of visiting election wards, worked to the advantage of the communists' successful tactics with regard to disrupting the elections. The great amounts of money spent by Rukh in printing up posters with pictures of its candidates in the second round of balloting (candidates which the people called the "blue team" because of the color of the paper used) and on distributing them by the state services did not justify themselves: In 21 districts only 3 Rukh persons were elected, and—judging by the political circumstances—they would have won anyway, even without the above-mentioned posters (their opponents were communists).

The struggle for Kiev's seats will be continued in the runoff elections, which—most likely—will be held in the autumn. The National Democrats in the new parliament will attempt to alter the electoral law in such a way as to reduce the 50-percent barrier of voter attendance and the 25-percent quota for determining a winner. The left-wing faction—not being interested in the Kiev representation—will act as quickly as possible to prevent changes in the above-mentioned law, basing their arguments on the position that a precedent must not be allowed whereby a single Supreme Council is to be elected by two different legislative norms. Therefore, unless Rukh revises its principle of "One's own party is closest to one's own skin" prior to the runoff elections, we can anticipate a new disruption of the elections in Kiev. And that would mean a new victory for the communists' tactics.

The National Democratic leaders' habit of palming off their defeats as victories (in the case of the past elections as well as in the case of their unsuccessful attempt to conduct a referendum on a pre-term re-election of the parliament in December 1992) could play a bad joke on

them and on the entire state. The communists evidently will strive to reinforce their own success and will press for holding the presidential elections also on 26 June. They will either put up their own candidate or else support Kuchma's candidacy for the post of chief of state. But if these elections do not take place, or if a president is not elected (realistically speaking, the candidacies of Kravchuk, Plyushch, and Kuchma have approximately equal chances, whereas the candidacies of Chornovol, Lukyanenko, and Yukhnovskyy cannot be viewed as serious), this will provide grounds for the left-wing faction to attempt to abolish the post of president. Without a doubt, the communists—together with their left-wing allies and the Kuchma-Hrynyov faction—will bring up the question of forming an economic and political union with Russia and federalizing Ukraine. A hundred deputies from the non-party "party of power" will obviously support them because they lean toward whatever side is the strongest. The "struggle for the party of power," which has been proclaimed by the Rukh leaders, seems to be lost ahead of time.

The results of the 1994 elections signify not only a communist revenge; they also threaten the very existence of the Ukrainian state. And—analogously to this—the fact that the new parliament has lasted for three or four years, despite numerous attempts to overthrow it. The tactics of the National Democracy have failed utterly, and it is extremely important that its leaders come to understand and acknowledge this. And they must revise the strategy of their own political activities in accordance with this. **For one can be a radical, a liberal, a fighter for justice, as well as a buffoon on the political stage; but to leave power in alien hands is dangerous for Ukraine and for its citizens.** Nor do childish games in the "blue team" and lists of candidates from variegated parties create grounds for anticipating that power will someday pass into the democrats' hands.

Election Said To Show Deep Regional Division

944K1127A Lvov POST-POSTUP in Ukrainian No 11, 15-21 Apr 94 p A1

[Article by Oleh Shmid: "The Election Became a Kind of Revenge"]

[Text] A parliamentary election is always a war of ideas. But in Ukraine, for some reason, it resembles a civil war. Two camps, two mentalities, two dissimilar halves of Ukraine are seeking revenge against each other over some wretched people's deputies, who have been fiercely shot at from all sides. We must acknowledge the following fact: In this election the Dnieper River has historically divided our state into two huge election districts. Success in one of them was turned into defeat in the other.

More than half—64 out of 120 deputies from the left-wing parties—have been elected to the parliament in just 4 Eastern Ukrainian oblasts: Lugansk, Donetsk, Kharkov, and Zaporozhye. Two-thirds of the people's

deputies with a right-wing radical orientation—8 out of 12—have been sent to the new parliament from just 2 Galician oblasts—Ternopol and Lvov. But the people closer to the Dnieper, in general, did not want to vote for anyone: Most of the election districts with incomplete voting are in the city of Kiev—18, as well as in the Kiev—7, Dnepropetrovsk—13, Poltava and Vinnitsa (6 each) oblasts. Crimea was an utterly unique case. Twelve districts in that peninsula failed to reach the point of complete voting.

The first conclusion to be drawn here is as follows: Ukraine has not yet brought forth such a powerful political force which could unite the two societies living on the different sides of the Dnieper. However, it has already brought forth left-wing and right-wing radicals who are capable of transforming the Dnieper into a frontline

The most contentious analysts have already calculated that—out of the 337 persons newly elected to the parliament—almost 200 acknowledge their membership in a certain political party or election bloc with a precise political orientation. The people, whom the parliament of the previous convocation shamelessly burdened with a majority-type electoral system, openly voted not so much for a specific candidate as for his political bent. This is precisely the most suitable moment for drawing our second conclusion: Our people are not stupid, and they are capable of coping with party lists. Therefore, during future elections we will hardly be able to neglect the proportional principle in forming a parliament.

Eight-tenths of the National Democrats who have made it to the parliament should understand the following point: Their strength lies in the "swamp." The latter is populated by approximately 100 deputies with an indeterminate political orientation, predominantly from the camp of the "independents" or the "party of power." Whoever carries most of the "swamp" over to his own side will have a parliamentary majority. However, a spectrum analysis of this Ukrainian "swamp" yields some disturbingly gloomy conclusions: There is a great deal of red coloring here. And, therefore, the chances of profiting from additional votes from the "swamp" are possessed by the left-wingers—the Communist and Socialist parties, as well as by the Peasants' Party of Ukraine—whose proportion in the Supreme Council will amount to 120 persons. They lack only 50 votes to create a parliamentary majority....

From everything mentioned above the third conclusion presents itself: The National Democrats ought to be made aware that they have lost this election. Their principal tasks in this parliament are not to allow the communists to lead our country back to a point from which there is no return. That is to say, they must endeavor to block whatever anti-Ukrainian or anti-market decisions which may be made, while creating—at

the same time—alliances, when necessary, with the "party of power," the National Radicals, and—at times—even with the Inter-Regional Bloc for Reforms. The main thing is to resist temptation and to reject those two or three offers to work in the government—offers which will undoubtedly be made to the National Democrats at the time when the ministerial portfolios are being distributed among the communists and the "party of power." This is the simple hook which last year caught many persons ready, willing, and eager to butt their heads against a stone wall and which—in Eastern Ukraine created the myth of the "Benderist-Nationalist" government in Kiev, a government in which the only protectors and defenders of the people are Zvyahilskyy, Landyk, Yevtukhov, and some other honest brothers.

The best thing that the National Democrats could do for the government is to keep quiet and remain satisfied to see how the communists attempt to extricate Ukraine from its economic crisis. In order to sense its own fall, our people evidently have to fall to the very bottom. And when everybody comes to understand that this really is the bottom, perhaps a new election will be called. The people must finally learn how to change their rakes—how to substitute new ones for the old ones.

The greatest danger for Ukraine lies in those oblasts on the Dnieper which had 113 election districts not voting completely. Whereas the present-day parliamentary game of solitaire still allows for a blockage of openly anti-state or communist sudden moves, several dozen Leninists or chauvinists elected in runoff elections could totally shatter this delicately balanced glass. If the pendulum begins to swing in the other direction, and the people rush to elect right-wing radicals, war will begin in the parliament and end in a slaughter throughout Ukraine.

There will be no fourth conclusion. Each person is capable of drawing it on his own.

Grigoryants Characterizes Crimea Visit

944K1129A Moscow OBSHCAYA GAZETA in Russian
No 15, 15-21 Apr 94 p 4

[Interview with Sergey Grigoryants by Marina Pavlova-Silvanskaya; date and place not given: "Extraordinary Mission"]

[Text] At the request of Crimean leaders, well-known Soviet dissident Sergey Grigoryants had a meeting with Chairman Mustafa Dzhemilev of the Crimean Tatar National Assembly and Rukh leader Vyacheslav Chornovilov.

[Pavlova-Silvanskaya] What kind of relationship do you have with Mustafa Dzhemilev and Vyacheslav Chornovilov?

[Grigoryants] All of us were political prisoners at one time, and although I was never incarcerated with either of them, we were members of the same small segment of society and had a common cause in the 1980s.

[Pavlova-Silvanskaya] What connection do you have to Crimea and its present leaders? Why did you agree to mediate?

[Grigoryants] Oh no, I have no special connection to Crimea, other than sentimental feelings and ties of friendship. I was asked to do it by Ye. Saburov, who has been my friend since we went to school together. He named me Yu. Meshkov's political adviser (because the Crimean Constitution does not provide for the office of foreign minister). He came up with a conclusive argument: "Do you want another Karabakh there?" Although, if the disagreements of politicians there should lead to a conflict, God forbid, it will be more like Yugoslavia than Karabakh.

[Pavlova-Silvanskaya] When did the idea of this extraordinary mission come up, and who came up with it—Ye. Saburov or Yu. Meshkov?

[Grigoryants] It was Saburov. When Meshkov came to Moscow soon after the election, he asked him to head the Crimean Government and also agreed to my participation in it. After that Saburov and I went to Crimea. I visited Dzhemilev in Bakhchisaray on the very first day and then spent five days meeting with Chornovilov, Tanyuk, Kuchma, and Altunyan—representing the whole range of Ukrainian politicians—and with the Russian and French ambassadors. The newspapers were right to underscore my meetings with Dzhemilev and Chornovilov, however, because it was the Ukrainian nationalists and the Crimean Tatar groups that aroused the apprehensions of Meshkov and Saburov. I feel there are no particular reasons for this, with the possible exception of Stepan Khmara's party. In spite of the fact that I have known him a long time, I did not have a meeting with him.

[Pavlova-Silvanskaya] In a recent interview in our newspaper a Crimean politician had this to say in reference to the results of the presidential election in Crimea: It would be wrong to consider the opinions of only Dzhemilev's followers because his assembly has not won the undivided support of the Crimean Tatars. Their position grew stronger at the time of the last election, however. Was your mission a signal that Meshkov and Saburov want to "build bridges" with the assembly after the earlier exclusive affiliation with Kiev and the Rukh?

[Grigoryants] I went there before the election, but you should not assume that Meshkov and Saburov have the same policy line: Their objectives do not always coincide. During my very first conversation with Saburov, I was surprised by precisely the position you mentioned. That is why Meshkov intends, they say, to include two of the Tatars from the opposition to the assembly in the government. This is one of the "convenient" options in the style of Gromyko and Razumovskiy, the standard

Soviet policy of finding collaborationists who demonstrated their inefficacy long ago. The Tatars are the only deported nationality that spent decades preparing its youth to return to their homeland. We have to negotiate with the people who represent the Crimean Tatars and their strength, and not with turncoats who have no influence there.

[Pavlova-Silvanskaya] Were you able to convince Saburov?

[Grigoryants] It was easy to change his mind....

[Pavlova-Silvanskaya] What about Meshkov?

[Grigoryants] He also agreed right away. Of course, they did not believe that an amicable conversation with Dzhemilev was possible, but the talks could not have been more friendly. Dzhemilev also had his doubts about the possibility of negotiating with Meshkov, although the Crimean president's acknowledgement of the need to seek a new option indicated the opposite.

The underestimation of Dzhemilev's amicability and good sense could be a major mistake. The Tatars have several different affiliations, and these go beyond the communists and Dzhemilev. Besides this, we have to remember that more than 6 million people who call themselves Crimean Tatars are living in Turkey. This is a serious political situation, and the low number of Tatars in Crimea (250,000) is no reason to give them less consideration than the Ukrainians or the Russians. I think this is a significant force with a remarkable leader.

[Pavlova-Silvanskaya] How would you describe the political results of these talks?

[Grigoryants] I feel that the danger of war, which I was warned about in Moscow, does not exist at this time. There are no forces that want to fight with the Russians: At most, the Tatars will resort to civil disobedience, and the Ukrainians simply do not have the time or energy for this right now. They have extremely urgent problems of their own. There are a few small extremist groups, but no influential political current of Rukh's statute is planning any kind of aggressive actions against Crimea. If Simferopol does want to choose the correct pattern of economic development, which will lead to prosperity, there will be no objections. In particular, I found out something I did not know in Moscow: The killings in Crimea that we called political were actually a result of unscrupulous commercial activity.

[Pavlova-Silvanskaya] Does that include the murder of Yuri Osmanov?

[Grigoryants] Yes, it includes all murders verging on political assassinations when they are connected with money. Today people can work peacefully in Crimea, but there are serious potential dangers. The primary one is the deployment of two armies on the peninsula: the Russian Navy and the fairly sizable Ukrainian Army, which takes orders from Kiev. The second danger is the resistance of at least two nationalities—the Tatars and

the Russians, who might have serious objections to any attempts to change the present status of Crimea. The Russians there are people who were raised on the military traditions of the Russian Navy. Although the Sevastopol Naval Academy was always supposed to be an all-union institution, half of its cadets always came from the local population. The final and third danger is the prospect of unfavorable developments in the relations of Russia, Ukraine, and Turkey, each of which has its own interests in the Black Sea region.

[Pavlova-Silvanskaya] You returned....

[Grigoryants] After a clash with the Crimean administration (I am not referring to Saburov). These people do not understand how to build political relations with other countries. They will not be able to pursue the policy I regard as the correct one. My meetings did not do much good: The Crimean administrators disavowed what I said with their own statements and actions.

[Pavlova-Silvanskaya] Do you mean that your mission will not be continued?

[Grigoryants] Probably not. I do not see any real chance of this.

Kharkiv Election Outcome Viewed

944K1126A Lvov POST-POSTUP in Ukrainian
15-21 Apr 94 p A3

[Article by Sergiy Trashutin, from Kharkiv: "The Election in Kharkiv Marked the Victory of Kuchma's Capital over 'Das Kapital' by Marx"]

[Text] The defeat of the National Democrats in the Kharkiv region was even more likely than that of the Reds. Even though the main struggle in Kharkiv took place between the Left and the coalition of the "money bags" gathered around the Kuchma-Grynyov bloc, the former were fatally short of money. Since businessmen made use of their unlimited financial resources and cornered all the mass media, the Left, lacking funds as well as brilliant personalities, fell back on unabashed populism. In the first round, this move was successful: the slogan "there was enough food and drink under the Communists" worked and allowed them to put through their candidates in 10 of the 14 local districts. Adding to this two representatives of the Ukraine Citizens' Congress, we have the complete list of opponents of the Kuchma-Grynyov clan, which in the first round had a 100 percent success rate in the region.

The runoff election was preceded by several noisy scandals. For instance, People's Deputy Filenko sued the trade union newspaper SOLIDARNIST for publishing calumnious information which allegedly influenced the outcome of the first round of voting. It was to no avail: he lost the runoff to First Secretary of the CPU obkom Kashlyakov. People's Deputy Meshcheryakov withdrew his candidacy in protest against what he called dirty methods of conducting the election campaign by his fellow-Reform Bloc member Grynyov. His detractors

maintain that in reality Meshcheryakov did not have the means to fight a financial battle against the respected Volodymyr Borysovykh on an equal footing.

Speaking of funds: Socialist Party candidate Milyukha declared on television that the money which the Inter-Regional Reform Bloc spent on the election campaign would have been sufficient to feed the population of Kharkiv for a period of one year. He also added that with that kind of money he would undertake to put his cat in parliament. As no one gave him that money, neither his cat nor Comrade Milyukha himself won a seat in parliament. The Kuchma-Grynyov people wound up their campaign by holding a rock party at the central square of the city, complete with fireworks and local and foreign stars, in order to attract young people. (Garik Sukachev was brought over from Moscow.) It did not work: young people looked at the spectacle but did not bother to vote.

The runoff election in Kharkiv marked the victory of the material (funds) over the ideal (even though it was the world's most progressive ideology). The Kuchma-Grynyov group won 5 seats, the Communists 2 seats and the Socialists and Meshcheryakov followers 1 seat each. One more seat went to an independent candidate.

On the countryside, the political landscape was slightly different. There, the contest between the Left and the ruling party ended with the score of 8-5 in favor of the latter. One seat was won by an independent candidate. Among those who were elected from the ruling party we find People's Deputies Bandurko and Karasyk, the advisor to Prime Minister Suslov. There were no particular surprises here, except for the Chuhuivskyy district No. 385 which elected a Communist, Raykovskyy, surprising even the local nomenklatura.

The runoff also produced a scandal, perhaps the loudest of all. Running and apparently winning in the Sovetskyy election district No. 376 was a noted democrat, liberal, etc., etc., etc., Volodymyr Grynyov. Let us not talk about the astronomical sums spent on his campaign: they could not be added up by the KRU, the CIA and the Central Bank of Ukraine working together. There were many other violations, the main of which was the fact that without the permission of the Central Election Commission the polls were kept open beyond 8 p.m. Thanks to this, a needed number was achieved to declare the election valid. But since this did not escaped the notice of the perturbed public, we should expect a flood of letters and complaints to the Central Election Commission. God alone knows how it will end, but it offers a good opportunity to investigate whether indeed our elections were truly democratic and not falsified.

Nonetheless, the most important outcome of the election was that there is no Red Dawn in Kharkiv. Neither the Left nor the ruling party passed in the city. Their base remains on the countryside, in villages where even today the collective farm chairman and the head of the village council lord over the population. But this is their legacy: only time will free the countryside from this plague.

Composition of Odessa Delegation Viewed*944K1126B Lvov POST-POSTUP in Ukrainian
15-21 Apr 94 p A3*

[Article by Leonid Zverev, from Odessa: "In Odessa, There Is a Wondrous Team: Eight Marxists, Three Lawyers, Two Captains and a Shadow—One for Two"]

[Text] Of the 23 seats in the Odessa region, 4 remain unfilled after two rounds of elections, while the 19 elected people's deputies can be broadly divided into three groups. Eight hang out on the left, while eight others, who ran for parliament from various managerial entities, are on the right. It is an illusory right, and it is called so only because there is no real right wing in the Odessa delegation. This group includes many well-known names: Bodelan, Symonenko, Kudyukin, Plotkin, Hurvits, Hovorun, Popov and Honchar. Apart from them are the rest, the representatives of a Lawyer's Union: Shyskin, Evdokymov and Karmazin, who for the sake of speeding up reforms declared willingness to cooperate with all parties and movements.

Two weeks after the fright caused by the first round of the election we can breathe easier. All of a sudden, Odessa residents voted with wonderful moderation. New Russian demagogues, the writer Vershynin and the television star Vaserman, as well as more noisy Leninists Pylypenko, Prokopets and Anyshchuk failed to get into parliament. Those Communists who won seats in the Supreme Council are at least distinguished by party work or are authorities in the world of business. The two representatives of the Countryside Party as not so much party activists as kolkhoz chairmen. Only the leader of the city's Social Democrats, now People's Deputy Rychagov, is one of those who only know how to talk.

It is not even worth it to discuss the other eight. Almost all of them were early favorites and stuck in the memory of the people not so much by words but deeds. Maybe it was a mistake by Oleksiy Kostusev to stress the ephemeral "struggle against the mafia" and not his own practical activities in his election campaign. As a result, he suffered a defeat at the hands of the main object of his anti-mafia crusade, Yeduard Hurvits.

Today, it is hard to tell where the Odessa delegation will steer its ship. But it is clear as day that not everything that the candidates promised before the election will become reality. Everything will depend on two factors. First, on the balance of forces in parliament itself and, second, on how the big cheeses of the Odessa delegation, Valentyn Symonenko and Ruslan Bodelan steer it. Competition, not to say cold war, has been going on between them for a good decade. But now they may well declare a truce in order to protect together their regional Odessa interests against the encroachment by the powers that be in Kiev.

Yet, it is unlikely that they could remain neutral relative one another even for a short period of time. The elections for Odessa mayor and Odessa regional governor are approaching. Even though most likely neither

Symonenko nor Bodelan want these posts, they will attempt to get their stand-ins elected to them.

For the rest, a violator of peace on the Odessa team may become the colorful head of the Zhovtnevyi rayon council Yeduard Hurvits. But it is unlikely that he could enter the competition for leadership. He has already been the shadow of Symonenko and the shadow of Bodelan. More recently, Hurvits has found it safer to hide in the shadow of Leonid Kuchma.

ECONOMIC AFFAIRS**Fuel, Mineral Fertilizer Shortage Afflicts Agriculture****Zvyahilskyy Calls for Fuel Supplies, Transport***944K1088A Kiev SILSKI VISTI in Ukrainian 09 Feb 94 p 1*

[Article by Ukrinform, Press Service of the President of Ukraine and the Cabinet of Ministers of Ukraine: "Fuel for the Village"]

[Text] On 9 February, Yukhym Zvyahilskyy, performing the duties of the Prime Minister of Ukraine, convened a conference, in which issues connected with the securing of fuel and lubricants for the agro-industrial complex were reviewed.

It concerned the fact that the government has to secure delivery for the countryside of these materials in volumes that correspond to the contract for state purchases of agricultural production. All possible channels for getting energy supplies will be used for this—both in Ukraine, and from the countries of the near and far abroad. The transportation and other participating departments have been assigned to secure uninterrupted reception and unloading of petroleum products for agricultural consumers. Operative control over the work of the transportation production line has been established.

At the conference, it was announced that the necessary means for reducing costs of fuel and lubricants will be used. The prices for these will be set no higher than world prices. This must prevent an increase in cost of the supply of other production of the rural economy, coming from the new harvest.

Volodymyr Demyanov, Vice-Prime Minister of Ukraine, took part in the conference.

Farmers' Association Head Notes Problems*944K1088B Kiev SILSKI VISTI in Ukrainian
11 Mar 94 p 1*

[Article by M. Shkarban, President of the Association of Farmers of Ukraine: "'Inexpensive' Fuel"]

[Text] According to the decision of the Cabinet of Ministers of 9 February 1994, the exchange of farm production for material-technical resources is foreseen. The concern "Ukragrotekhservis" will realize this in

exchange for the funds allotted for the financing of the state contract for the purchase of agricultural production. In particular, it is foreseen that 28.7 trillion karbovantsi will be used for the purchase of petroleum products, including 13.3 trillion karbovantsi for spring field work. From this sum, the Ministry of Finance has already paid 630 billion karbovantsi to "Ukragro-tekhservis." This concern, which has great advantages in transportation and tariffs, buying hard currency at a fixed rate (12,610 karbovantsi per dollar), for the use of state resources for wheat storage and processing enterprises, would have to do this so that charges would not exceed 50 percent of the customs cost of the fuel. Therefore "Ukragrotekhservis" raised the price for petroleum products and gets 4.3 trillion karbovantsi for this from the producers, including 2.5 trillion karbovantsi for gasoline. This happened because the ratio of prices for so called "inexpensive" fuel is worse than the ratio of prices on the world market. For example, at the "inexpensive" wholesale price for diesel fuel of 3.9 million karbovantsi per tonne and the starting cost of grain at 1.29 million karbovantsi per tonne, the ratio becomes approximately one to three, while on the world market it is one to 1.5 (in the commercial structures of Ukraine, one to 2.12).

Reference to the point that, supposedly, the ratio of one to three will be lowered by future indexation is baseless, since there is no guarantee that, with the change in the price for grain as a result of indexation, the price for fuel will not also change at the same time.

In our view, it would be better if the state paid in advance with funds allotted in the budget (on the basis of a futures agreement) for the full price, equivalent to the world price, that part of the contract, which the producer transfers to the state as a pledge for the future harvest.

The agricultural producers have to consider seriously everything while making contracts for the sale of grain, sunflower and sugarbeet, so that another robbery of the villagers by state structures will not take place.

Executive Interviewed on Fuel Supply Problems

944K1088C Kiev *SILSKI VISTI* in Ukrainian
1 Apr 94 p 1

[Interview by B. Polishchuk with A. Pavlenko, assistant head of the concern "Ukragrotekhservis"; place and date not given: "Fuel: From Emergency to Emergency"]

[Text]

[Polishchuk] Anatoliy Andriyovych, because of the government's nonpayment of charges for production, farms could not get ready for spring in an adequate way, in particular to obtain the necessary amount of fuel and lubricants. A very tense situation developed. The government is trying to salvage things in an emergency fashion and has forced "Ukragrotekhservis" to be the fireman, so to speak. What has already been done?

[Pavlenko] To ensure spring field work under state contract, we have to supply to the villages 800,000 tonnes of gasoline and 1,200,000 tonnes of sunflower oil. As of 29 March, 89,000 and 350,000 tonnes, respectively, had been sent to farms.

[Polishchuk] Is this not too little?

[Pavlenko] The situation is not the best, but it is also not the worst. In Ukraine, there are still 600,000 tonnes of fuel at terminals. In a few days, 100,000 tonnes are expected from commercial structures. Chiefly, this is diesel fuel. The problem is to collect it in time and get it to the locations. The February-March schedule for supplying gasoline and sunflower oil will be achieved at 90 and 72 percent, respectively.

[Polishchuk] And the April schedule?

[Pavlenko] There is hope that we will manage it. In Feodosiya and Odessa, tankers are being unloaded. Every day up to 20,000 tonnes of fuel arrive at the terminals, by rail. There is an agreement with Azerbaijan to supply it as exchange.

[Polishchuk] On what principles do the farms pay for fuel?

[Pavlenko] As was indicated in the government decree on supplying fuel, this is done by fixed prices: gasoline—4,150 karbovantsi per liter, and sunflower oil—3,900 karbovantsi.

[Polishchuk] How is the distribution of the fuel going, by regions?

[Pavlenko] First of all, it has gone to the southern oblasts, where the work in the fields got going first. Now we are equalizing the situation in the other oblasts.

[Polishchuk] And how about lubricants?

[Pavlenko] There are problems. The issue is that their acquisition, as for gasoline and sunflower oil, has to be foreseen with funds allotted under state contract. Unfortunately, this was not done. Also, there is too little lubricating material. In Khersonska oblast, on a number of farms, because of dust storms, it became necessary to replace the lubricants in the tractors urgently. We are looking for a way out of this situation. We have already purchased 3,500 tonnes of lubricants in Kremenchug. We got small amounts in Russia and at the Drohobych research plant, with their help, we will get more than 2,000 tonnes of base lubricants. An agreement has been made for Russia to supply 3,000 tonnes of lubricants in April. In this way, there will be enough in April.

[Polishchuk] It is a long road for the fuel and lubricants from the terminals and ports to the farms. Is there a mutual understanding between "Ukragrotekhservis" and the railroad?

[Pavlenko] We are still talking. An agreement with the railroad has been made. All losses in transporting the

fuel go to a separate account for "Ukragrotekhservis." So, we have direct payments, which eases the situation of the farms. There are also certain complications. In particular, the old railroad statute, signed over thirty years ago, contributes to them. On account of this, the cisterns for fuel are not sealed. This leads to its being stolen on the road. There are many cases, where one quantity of sunflower oil or gasoline is indicated on the bill of lading, but on the spot it is indicated that some hundredweights are not in the cistern.

[Polishchuk] And are hands not being warmed by fuel allotted to the village, along the chain far from the terminal or cistern? It is being provided to the farms more cheaply. It is enough to let a certain quantity of fuel go through commercial structures and, without raising a finger, to get a few stray pennies.

[Pavlenko] We do not know about such cases. In fact, fuel goes by a long chain: oblast to rayon to farm. Maybe someone yields to temptation. But this fuel has a destination, under state contract, and every liter should be accounted for.

[Polishchuk] Your prognosis: will we not fail in a great extent of the spring work, through the supplying to the villages of fuel and lubricant materials?

[Pavlenko] I do not think so. I am more worried about the time when feed preparation and taking care of the planting begin. And we all have to now start thinking about this in advance, and not live from emergency to emergency.

P.S. After A. Pavlenko gave the interview and went urgently on a mission, we found out some quite telling information. It turns out, that a number of regions, including southern ones, where the work in the fields has gotten going more, were supplied with fuel as though it were precious droplets, at the same time that the Khmelnytsky region was "inundated." For the last 20 days, 13,124 tonnes of sunflower oil and 3,232 tonnes of gasoline have come here, the most in Ukraine, and more than the Zaporizka, Luhanska, and Cherkaska oblasts combined. Is V. Bortnyk, the chief of the board of the "Ukragrotekhservis" concern, in this way "greasing" his own voters in the Khmelnytsky region and winning the deputy's mandate?

Fertilizer Plants Not Fulfilling Requirements

944K1088D Kiev *SILSKI VISTI* in Ukrainian
 31 Mar 94 p 1

[Article by V. Otsenko: "The Field Is Left without Fertilizers"]

[Text] The whole fall and winter, the government nurtured the villagers with promises: supposedly, from day to day the state will pay for the production supplied, it will take care of the supply of fuel, of mineral fertilizers, and other resources, before the beginning of field work. And now the time for going into the fields on a mass scale has begun.

Through the lack of fuel in the winter a very small amount of organic fertilizers has been prepared. Perhaps it will be made up with mineral fertilizers.

"The situation with them is also critical," says V. Tyshkevych, the assistant head of the "Ukragrokhim" association. "In past years, the farmers and our staff began to prepare mineral fertilizers for spring field work in November. In the winter, all the problem areas were worked out. Everything got done without emergencies. Now things only get started at the end of February. There was not such tension and difficulty..."

Because of the state's delay in payments for plant and animal production, the farms did not have anything with which to acquire fertilizer. As a result, many enterprises held back their production, or sold their production to purchasers who were able to pay—to commercial structures and foreign firms. At an inappropriate time, on 11 February, the state decided to allot credits to the countryside. Even if all our mineral fertilizer plants work at full capacity, the demand for nitrogen fertilizers will be satisfied by May only at the 70 percent level, phosphorous at 50 percent, and potassium at 18 percent.

Many farms, especially in the western region, will not be able to renew winter grain in time and to the fullest extent. A large deficit in the harvest will mean a four month halt for the Rivne production association, "Azot." It was paralyzed by a lack of funds to pay for gas and electricity. Only at the start of spring, they got going here one aggregate for producing ammonium nitrate; the rest are standing still.

The farms in the south began field work first. However, the Horlivka production association, "Styrol," which services this zone, also will not help the farmers much. Of the 35 billion karbovantsi of state credits transferred to it, only 3 billion have been issued.

The enterprises which produce for Ukrainian farms are supplied with mineral fertilizers, gas and electricity at lower prices. Unfortunately, many plants often do not use the energy resources for what they are intended. For example, the northern Don production association, "Azot," every day produces fifteen hundred tonnes of ammonium nitrate, but the warehouses are empty. The fertilizers intended for spring fields go for export.

The Cherkasy production association, "Azot," and the Rozdol enterprise, "Sirka," unload oils for the countryside in unsatisfactory fashion.

Raw material for phosphorous fertilizers were purchased in Russia for 18.3 billion rubles, but the Sumy association, "Khimprom," the Rivne "Azot," the Vinnytsia "Khimprom," and the Kostiantynivka chemical plant, are not hurrying to take care of the production of these fertilizers.

The irregular natural of mutual financial payments at the intragovernmental level has left the farmers of Ukraine

without potassium fertilizers. The production association, "Biloruskaliy," has broken off relations with Ukraine. The Kalush "Khlorvinil" and the Stebnytsky potassium plants are too small, and the potassium fertilizers produced by them are of significantly lower quality than the Belarusian.

The impression has been created that it is not Ukrainian bread that railroad officials are planning to eat; otherwise, they would not behave toward the countryside in such a way, like racketeers. First, they began to demand payment raised several times for a carload, since supposedly it had not been reserved 45 days in advance. Then they seemed to relent, but having loosened the reins in one case, they skinned them for other services. For example, they refuse to extend the railroad tariff which had applied up to 5 December of last year for the period of spring field work. Now, to ship fertilizers it is necessary to pay five times more. The department did not agree to establish the time for unloading cisterns with ammonia up to five days, as was the case earlier. With a lack of fuel and broken down auto transport, the farmer has to do this right away. Otherwise, there are fines. The extortion by the railroad men leads to mineral fertilizers, and in the final analysis prices for agricultural production, becoming much more expensive.

We have reached spring. The country's chemical enterprises has to send to the countryside, every day, 18,500 tonnes of oils, and are unloading only a third. Last year the Almighty was merciful and gave us a harvest. What can we hope for now?

Leading Causes of Illness Among Ukraine's Population Reported

944K1031 Kiev ZELENYY SVIT in Ukrainian
No 4, Mar 93 p 4

[Article by Candidate of Geographical Sciences V. Baranovsky: "Ukraine—Incidence of Disease Among the Population"]

[Text] The very concept of "health" is evaluated in different ways, and debates continue surrounding the concepts of "health" and "illness." The most expansive concept of "health" today was proposed by the WHO in 1963: "Health is a state of complete physical, spiritual and social well-being of the population, and not only the absence of disease and physical defects."

Significant structural-dynamic violations of human health, physical development and changes in the nature of the pathology of the population are taking place under difficult contemporary ecological conditions—a gradual rise, in the pattern of morbidity and mortality among the population, of the share of non-epidemiological chronic

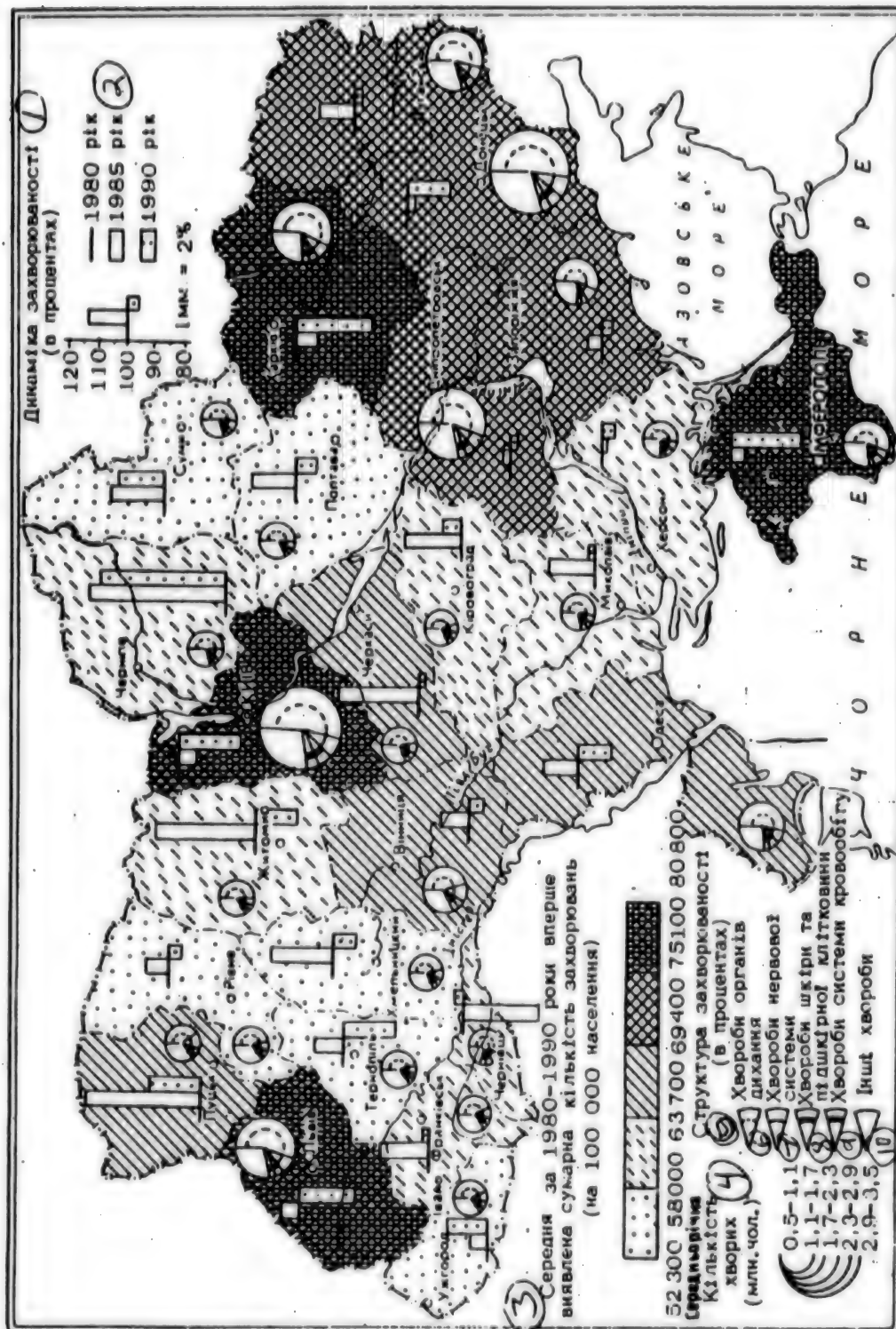
illnesses and a corresponding decrease in the share of infectious diseases. The causes for these phenomena include the fast pace of life and an acceleration of production rhythms. Disruptions of the ecological equilibrium and, as a consequence, increased nervous-emotional strain in the face of a certain conservativeness of the functions of the organism, occur as a result of the constant interference of man in nature, and could be the cause of complications in the health of the population.

Most indicators of health, as is well known, are of a negative nature (morbidity, mortality, invalidity etc.), giving an idea of the state of health versus an "opposite." The incidence of disease among the population is the most sensitive indicator describing the influence of the environment on man, but the statistical values are not always sufficiently reliable or comparable. Mortality, on the contrary, can be considered as a conditionally resultant influence of the environment. This indicator is subject to compulsory recording, with a uniform categorization of the cause of death accepted both in this country and abroad. The official indicator of the morbidity rate is calculated over a year per 100,000 population. It is subdivided into initial (first revealed) and overall (rate of illness, extent). The latter includes the morbidity rates of past years for a certain moment in time, and morbidity as revealed for the first time.

The map offered to the readers depicts the level of initially revealed morbidity of the population by oblasts, and its structure and dynamic over 10 years. The structure of the morbidity rate, as we see, is predominated by diseases of the respiratory organs, nervous system, skin, circulatory system etc. The structure of the mortality rate of the population presents a different picture. First is mortality from diseases of organs of the circulatory system, then newly created malignancies, accidents and others.

The analysis we performed showed that the territorial breakdown of the incidence of disease among the population correlates closely with the ecological situation in Ukraine. This question is considered in more concrete fashion in the "Medical-Biological Atlas of Ukraine," now completed by the author. It comprises text and map portions. The cartographic section includes the author's maps and maps that have been published by other specialists. The total size is 123 pages, of which 71 are maps, 45 of those by the author. The map scales are 1:7,000,000 (one centimeter to 70 kilometers), 1:6,000,000 (one centimeter to 60 kilometers) and 1:5,000,000 (one centimeter to 50 kilometers).

The cost of publishing the atlas is about 3,000—5,000 dollars U.S., and it will thus not be possible to manage without sponsors. An abridged, "newspaper" version of the atlas will come out soon as a special supplement to the newspaper ZELENYY SVIT.



Ukraine: Incidence of Disease Among the Population

Key:

- Dynamic of the incidence of disease
- Year
- Average total number of diseases ascertained for the first time over 1980-90 (per 100,000 of population)
- Average number of those ill (millions of people)
- Structure of incidence of disease
- Illnesses of the respiratory organs
- Illnesses of the nervous system
- Illnesses of the skin and subcutaneous cells
- Illnesses of the circulatory system
- Other illnesses

Economist Backs Regulation of Hard Currency

944K1086A Kiev HOLOS UKRAYINY in Ukrainian
8 Apr 94 p 7

[Article by Viktor Naydyonov, doctor of economic sciences, professor: "The Exchange Rate and Inflation"]

[Text] Inflation is the greatest social evil affecting Ukraine. It is ruining production and reducing the working population to poverty, while concentrating wealth in the hands of speculators, usurers, and swindlers. Inflation is an economic mechanism of the mass plunder of the people and the primary accumulation of capital.

Recall, for example, how state enterprises were prohibited from establishing commercial banks under the guise of restricting commercial activity and were even forced to take out their shares after the banks had increased their starting capital many times over. And so they threw the pike into the river! No longer regulated, banks are growing rich on the usurious accumulation of capital. Every time that the need for regulating prices arises, the regulatory documents begin with provisions that benefit "liberalization." This is why the decrees on prices issued by the Cabinet of Ministers in December 1992 and in December 1993 led to sharp price rises.

The banks and middleman dealers are making a fortune on inflation. As a result, they are pressing hard for the removal of anti-inflationary measures. The government is being subjected to harsh attacks in the mass media.

The state is being reviled most harshly for regulating the currency exchange rate and instituting foreign trade controls. Any attempt to curb the all-permissive activity in this sphere is labelled as "antimarket." Despite the fact that both these forms of state regulation are applied now, and have been applied in the past, by many countries with market economies.

Regulating the exchange rate of the national currency and foreign trade has a significant effect on the dynamics of domestic prices. The starting proportions for exchange of the currencies of different countries depends on the relations between the prices of goods that arrive as imports. Basically, the currency exchange rate should be such as to leave the seller indifferent in which currency he is paid for his goods. Thus, if the market price of a metric ton of oil is 100 dollars in one country and 10,000 rubles in another, the rate of exchange will be 100 rubles to the dollar. On the average, this ratio should be in effect for all goods. If you take the average correlation between U.S. and Ukrainian prices for a selection of 140 goods, the exchange rate (according to data for January 1993) should be 254 karbovantsi to the dollar. This is the real base proportion. Then why is the actual karbovanets exchange rate much lower: at the end of March, 40,000 karbovantsi to the dollar at banks and 43,000 on the black market? Because there is a growing, market-driven demand for the dollar.

Market business fluctuations are natural in a normal situation and do not deviate very far from price parity. Central banks and states can do away with undesirable disparities by means of currency intervention, interest rates, and other economic measures. But if the market rate deviates very far from the parity described, it has an increasingly opposite effect on domestic prices. If the exchange rate of the national currency has fallen by a factor of 1.5 and the dollar costs 381 karbovantsi rather than 254, the price of all goods imported from abroad will increase by a factor of 1.5. If the government wants to lessen the effect of imports on domestic prices, it must act to stop the exchange rate of the national currency from dropping.

When goods are scarce and production volumes drop, market conditions cause the exchange rate of the national currency to fall as a result of an increased demand for imports. With its clumsy (or perhaps deliberately inspired?) actions, the state can escalate the demand for imported goods and foreign currency. This has been precisely the effect of the internal convertibility introduced by the Kuchma-Pynzenyk government. Given the existing shortage of goods, it is causing the demand for foreign currency to grow.

Should the government regard this play of exchange rates as inviolable if it wants to curb inflation? No, it should use every available means, including administrative measures, to halt the fall of the exchange rate of the national currency. In other words, it must regulate the exchange rate. To be sure, without disturbing the fundamental price parity and taking into account market conditions.

A second important factor that sharply increases demand for foreign currency is the fact that it circulates in the form of cash. The owners of foreign currency do not suffer from inflation. Because it is more stable, demand for it is growing. As a result, the price of the national currency is falling at an accelerated rate. The dollarization of monetary circulation is another factor that contributes to inflation.

In the year since the policy on foreign currency has been "liberalized" and the interbank currency exchange was opened, the rate at which the dollar is traded on the exchange has increased more than 90-fold (from 340 karbovantsi on 22 September 1992 to 31,150 karbovantsi on 5 November 1993). This has had a marked effect on the rise of prices. During this same period, enterprises raised prices 85-fold. The fact that the rate at which the currency exchange rate is falling exceeds the rate at which prices are rising indicates that the exchange rate is not dependent on price parity but the other way around. This being the case, the exchange rate is of an opportunistic, even speculative, nature.

Russia raised the price of its energy supplies, setting itself the goal of bringing them up to world levels. The fall of the karbovanets exchange rate greatly intensified the effect of imported inflation. The steep jump in the

exchange rate, which augurs catastrophe (from 5,970 to 19,050 karbovantsi to the dollar), occurred on 20 August 1993. In an attempt to neutralize this factor, the government and the National Bank of Ukraine established a fixed rate of exchange for the karbovanets. This was an inflexible decision that drew criticism. It was followed by the introduction of a regulated—that is, deliberately fluctuating—exchange rate, and the currency auctions were halted.

Unfortunately, however, this measure designed to halt the continued fall of the exchange rate was not applied consistently. Instead of the interbank currency exchange, the commercial banks were permitted to trade in foreign currency. This created something like a decentralized exchange. The interests of exporting enterprises have been disregarded. They are obliged to sell half their export receipts at the official rate of exchange (12,610 karbovantsi), yet buy the currency they need to purchase raw materials, materials, and components at the bank rate of exchange (37,000-40,000 karbovantsi).

When the Cabinet of Ministers was deliberating on the draft of the presidential decree, the recommendation was made to either establish individual quotas for enterprises for the sale of foreign currency (depending on the nature and structure of shipments of products under subcontracting arrangements), or sell hard currency to exporters at the same rate at which they had bought it. However, for some reason, there is no mention of this in the decree.

The dual system of exchange rates creates losses for exporters and produces dissatisfaction among them. Some circles deliberately interpret this as dissatisfaction with the principle of state regulation of the exchange rate, even though this is not the case at all. Is this another mistake or a deliberate gap? I cannot state for certain, but I suspect that it is the worse of the two. In fact, it is not the regulation of the exchange rate that should be opposed, but the retention of two different rates (at least not for exporters). But it is precisely regulation that public opinion hotly opposes.

Another inconsistency in the policy of regulating the exchange rate is the failure to make any attempt to put a stop to the circulation of foreign currency in Ukraine.

The paramount task in the war against inflation is to use every available method to curb the rise of prices. The thing is that price increases are no longer the result of inflation and a feature of it, but the cause of rising inflation. The rise of prices increases costs, creates a shortage of working capital, and results in the chain of nonpayments. This leads to a decline and halt in production, which causes prices to climb even higher. Or it makes it necessary to supplement working capital with credits, which increase the money supply and also cause prices to rise. No matter what kind of anti-inflationary measures are applied, they are nullified by the momentum of price increases. That is why it is necessary to resort to direct administrative restrictions on price

increases. Especially on the price of a specific commodity—foreign convertible currency. The government has done precisely that. And it was right to do so. But this measure must be implemented in a comprehensive and consistent manner.

Many countries resort to mandatory state regulation of foreign currency exchange rates. At present, 73 countries link the exchange rate of their own currencies to the exchange rate of one of the hard currencies, six rely on a flexible link using a number of indices (Ukraine could join this group), and eight countries regulate floating rates of exchange. As we can see, by far not all countries allow unregulated floating exchange rates. A country has to protect its economy.

There needs to be a will to fight the crisis. If we indulge in theoretical whining, we will not overcome the problem.

In all fairness, we have to admit that Yu. Zvyahilskyy is succeeding in curbing the rate of inflation by applying an aggregate of measures. In January, inflation measured 19 percent, in February, 13 percent. Estimates show that it should be down to nine percent in March as against 90 percent at the end of last year. And the regulation of the foreign exchange rate is a vital factor in this stabilization. Attacks on the regulation of currency exchange rates are organized by those who are living off inflation. This is an assault on the people by robbers. But the government, too, needs to correct the purchase and sale of foreign currency so as not to oppress exporters and not increase the demand for foreign currency.

Crimea Decree on Currency Regulation, Oversight

*944K1130A Simferopol KRYMSKAYA GAZETA
in Russian 16 Apr 94 p 2*

[Decree of the President of the Republic of Crimea on Currency Regulation and Currency Control]

[Text] In accordance with the decree of the president of Ukraine of 23 June 1993 No. 228/93 on an open-market regime on the territory of the Republic of Crimea, stipulating liberalization of financial and banking, taxation and budgetary and foreign economic and customs relations, I hereby decree as follows:

1. Introduce currency regulation in the Republic of Crimea in accordance with the provisions of this decree.
2. Establish the national currency of Ukraine (the Ukrainian karbovanets) as the sole legal means of payment on the territory of the Republic of Crimea to be accepted without restrictions for the payment of all demands and obligations. The currency of other governments, including the Russian ruble, shall circulate on the territory of the Republic of Crimea as foreign currency in accordance with this decree.

3. Establish that legal entities permanently located on the territory of the Republic of Crimea and physical persons with a permanent place of residence in Crimea (henceforth—residents), as well as legal entities and physical persons permanently situated outside of Crimea (henceforth—nonresidents) have the right to conduct currency transactions, including sale of goods (services, labor) to residents and nonresidents for foreign currency on the territory of Crimea with a license from the Republic Bank of Crimea.
4. Establish that the earnings of residents in foreign currency from export-import operations are subject to transfer from abroad for deposit in foreign currency accounts in authorized banks of the Republic of Crimea by the deadlines for payment of debts indicated in contracts, but not later than 60 calendar days after the customs border of Ukraine is crossed by the products being exported. The indicated deadlines may be extended with specific permission of the Ministry of Finance of Crimea upon coordination with the Ministry of the Economy of Crimea.
5. Create the Interbank Exchange Market of Crimea. The Ministry of the Economy jointly with the Ministry of Finance and the Republic Bank of Crimea are to prepare standardized documents and technical-economic substantiation to ensure the operation of the exchange within a two-month period.
6. Fifty percent of the receipts in foreign currency obtained by residents are subject to mandatory sale on the Interbank Exchange Market of Crimea.
7. Until the start of trading on the Interbank Exchange Market of Crimea residents may select one of the following:
 - a) Fifty percent of the earnings acquired by residents in foreign currency are subject to mandatory sale at the free rate on the interbank currency market of Crimea.
 - b) Currency earnings of residents are taxed at a rate established by the government of the Republic of Crimea.
8. Currency revenues remaining at the disposal of the residents may be utilized by them for any purpose including sale on the currency market of Crimea. Foreign currency may be used as a means of legal payment in the settlement of accounts between resident legal entities and nonresidents within limits of the trade turnover only through authorized banks.
9. The following are not subject to mandatory sale and are exempt from the tax stipulated in Subpoint b of Point 7 of this decree:

Foreign currency funds received by resident physical persons as payment for their labor, with the exception of funds obtained through entrepreneurial activity;

Foreign currency earnings brokers credited to the accounts of resident brokers from the sale of products (work, services) and subject to transfer to residents and nonresidents—subjects of entrepreneurial activity, on whose instructions the indicated sale was accomplished on the basis of commission contracts, orders, consignments, or agent agreements;

Foreign currency transferred on the territory of Crimea for crediting to the charter funds of enterprises with foreign investments.

10. Create the Republic Currency Fund of Crimea.

Establish that the government of the Republic of Crimea ensures the formation and acts as management of the Republic Currency Fund of Crimea.

Charge the government of the Republic of Crimea with the preparation and adoption of a regulation on the Republic Currency Fund of Crimea and determination of the sources for its formation within a one-month period.

11. Establish that in the sale of goods (services, labor) for foreign currency by enterprises and organizations the collection of all forms of taxes is made after conversion of the obtained funds into the national currency of Ukraine at a rate established by the Republic Bank of Crimea in effect on the day of tax payment. Upon coordination with the Ministry of Finance of Crimea the payment of taxes by individual categories of taxpayers may be carried out in foreign currency at rates established by existing legislation.
12. Grant the State Tax Inspectorate of the Republic of Crimea the right to impose fines for the violation of foreign currency legislation in the order determined by existing legislation.
13. Authorized banks are granted the right to determine foreign currency exchange rates while the Republic Bank of Crimea determines the maximum margin for transactions on the interbank currency market of Crimea.
14. The Republic Bank of Crimea provides daily quotations of foreign currency exchange rates.
15. The government of the Republic of Crimea is to initiate necessary measures within one month ensuring the implementation of this decree. Portions of the existing legislation contradicting this decree are to be brought into compliance with it.
16. This decree becomes effective on the date of publication.

[Signed] Yu. Meshkov, president of the Republic of Crimea
Simferopol, 11 April 1994

No. 37/94

Crimea Decree on Banking Operations

944K1131A Simferopol KRYMSKAYA GAZETA
in Russian 16 Apr 94 p 2

[Crimean Republic Presidential Edict No 38/94 on Banks and Banking in Crimean Republic, signed by President Yu. Meshkov in Simferopol on 11 April 1994]

[Text] Pursuant to subsections 10-13 of Section 2 of the Law of Ukraine "On the Delineation of the Powers of Government Agencies of Ukraine and the Crimean Republic" and in accordance with the first paragraph of Edict 228/93 of the President of Ukraine of 23 June 1993 "On the Open Economic Policy Within the Territory of the Crimean Republic" referring to the creation of an open economy in the Crimean Republic, envisaging the liberalization of foreign economic financial and banking relations,

I hereby decree that:

1. The banking system of the Crimean Republic will be part of the banking system of Ukraine, will operate on two levels, and will consist of the Republic Bank of Crimea and commercial banks of various types and forms of ownership.

Banks of all forms of ownership within the Crimean Republic will be guided in their actions by the laws of Ukraine and the Crimean Republic, by this edict, and by other legislative instruments issued in accordance with existing laws and regulating banking operations.

2. The Republic Bank of Crimea will be owned by the Crimean Republic. The Republic Bank of Crimea will be autonomous of the National Bank of Ukraine in its activities (with the exception of the right to issue currency, which will be the exclusive prerogative of the National Bank of Ukraine).

The Republic Bank of Crimea will pursue state policy in the areas of monetary circulation, credit, and settlements and will regulate and oversee the activities of commercial banks within the confines of its jurisdiction.

For the performance of its duties, the Republic Bank of Crimea will take part in drafting state programs for the economic and social development of the Crimean Republic, the state budget of the Crimean Republic, the payment balance sheet of the Crimean Republic, and other state programs with a possible impact on the state of monetary circulation.

3. The Republic Bank of Crimea will do the following:

—plan and carry out measures to regulate the volume and structure of the total amount of money in circulation by means of the appropriate consultations with the National Bank of Ukraine.

The regulation of the volume and structure of the total amount of money in circulation will be accomplished by changing the amount of credit extended by commercial banks; buying and selling securities and foreign currency; changing the standard limits

on the compulsory reserves of commercial banks in the Republic Bank of Crimea; changing the interest rates of the Republic Bank of Crimea on its credits; and imposing limits on the credit investments of commercial banks;

—service the state debt of the Crimean Republic by conducting operations connected with the extension of state loans of the Crimean Republic, the repayment of these loans, and the payment of the interest on these loans;

—collect cash and other forms of payment for the state budget of the Crimean Republic and organize and carry out the execution of the state budget of the Crimean Republic autonomously and through commercial banks;

—organize settlements between commercial banks through the correspondent accounts these banks open in the Republic Bank of Crimea, the settlement organizations established by commercial banks, and other methods acceptable to commercial banks;

—represent the interests of the Crimean Republic in relations with the National Bank of Ukraine, the central banks of other countries, international banks, and other finance and credit organizations envisaging interstate cooperation by central banks;

—conduct any foreign currency operations envisaged by existing laws;

—submit reports each year at specific times on its operations and balance sheet and the summary balance sheet of the banking system of the Crimean Republic. These documents will be forwarded to the National Bank of Ukraine. The Republic Bank of Crimea will publish its balance sheet and the summary balance sheet of the banking system of the Crimean Republic.

4. The Crimean Republic will accumulate and use its own credit resources, consisting of bank assets, the funds remaining in the bank accounts of republic enterprises, institutions, and organizations, deposits by citizens, interbank settlements, and other monetary resources.

5. The Republic Bank of Crimea and commercial banks within the territory of the Crimean Republic will not be liable for the obligations of the state (with the exception of those for which the republic bank assumes responsibility). The state will not be liable for the obligations of banks, except in cases envisaged by this edict and other cases in which the state assumes this responsibility.

6. The Republic Bank of Crimea will consider and make decisions on the registration of banks (including banks with foreign participation and the branches and offices of foreign banks) and on amendments and additions to the articles of incorporation of previously registered banks within the territory of the Crimean Republic.

7. The Republic Bank of Crimea will issue permits authorizing commercial banks to conduct operations in foreign currency within the territory of the Crimean Republic and abroad at the request of the banks and with a view to the economic advisability of the operations and the ability of the banks to conduct them.

The permits authorizing operations in foreign currency by joint-stock banks, foreign banks, and branches and offices of the banks of foreign states will be issued at the time of their establishment or closure.

8. The Republic Bank of Crimea may set compulsory standard indicators for commercial banks to secure their financial stability and protect their creditors.
9. The Republic Bank of Crimea will oversee the compliance of banks within the territory of the Crimean Republic with the standard indicators instituted in accordance with this edict and existing laws and the correct application of banking laws and the legislative instruments it issues.

The Republic Bank of Crimea will determine the nature and volume of reports and other information needed from commercial banks for the performance of its oversight functions.

10. Commercial banks within the territory of the Crimean Republic will be established on the basis of joint ownership (with stockholders or shareholders) and according to the procedure envisaged by existing laws.

The founders and part-owners (or stockholders) of commercial banks may be residents of the Crimean Republic and Ukraine—juridical and physical persons, with the exception of councils of people's deputies on all levels, their executive agencies, political and labor organizations, unions, parties, and social foundations—and non-residents of the Crimean Republic and Ukraine—juridical (overseas banks and their branches or other juridical persons) and physical persons. The foreign founders must be foreign banks (or their branches), and foreign part-owners may be other juridical and physical persons.

The capital stock of a commercial bank will consist of the charter contributions of the founders.

Capital stock may not consist of budget funds or resources received on credit or serving as collateral.

The amount of capital stock will be decided by the founders (or stockholders) of the bank, but may not fall below the amount established by the Republic Bank of Crimea.

In the event of insufficient funds for the extension of credit to clients and the fulfillment of assumed obligations, commercial banks may apply to the Republic

Bank of Crimea for credit. The procedure for carrying out these credit operations and their maximum amounts will be defined by the Republic Bank of Crimea.

Commercial banks founded in the Crimean Republic may open branches and offices abroad with the permission of the Republic Bank of Crimea.

11. Commercial banks may conduct operations in foreign currency within the territory of the Crimean Republic and abroad, in accordance with their charters, this edict, and existing laws.

Banks authorized to conduct operations in foreign currency may accumulate their profits in foreign currency for the creation of currency funds and use these funds for the development of banking and investments within the territory of the Crimean Republic and abroad and for other purposes; they may use the funds to purchase stocks, bonds, and other securities abroad and may act as founders or shareholders of banking institutions within the territory of the Crimean Republic or abroad according to the procedure established by existing laws.

12. Commercial banks within the territory of the Crimean Republic may issue their own securities only with the permission of the Crimean Ministry of Finance.

Commercial banks wishing to invest in real estate within the territory of the Crimean Republic must seek permission from the Government of Crimea in each specific case.

Commercial banks within the territory of the Crimean Republic may not participate in the insurance business, establish insurance companies and other institutions of this type, or participate in their establishment. Commercial banks may have a part interest in other commercial banks with the consent of the Republic Bank of Crimea in each specific case. Banks may not conclude written or oral agreements to restrict competition in banking, to establish monopolies on the extension of credit or the performance of other services, or to establish interest rates or commission fees.

Commercial banks may have a financial interest in other financial institutions with the permission of the Republic Bank of Crimea and the Crimean Ministry of Finance.

13. Branches and offices of banks of other countries may operate within the territory of the Crimean Republic.

The banking operations of the branches and offices of banks of foreign states will be regulated by this edict and by existing laws.

Offices of foreign banks within the territory of the Crimean Republic will be accredited by the Republic Bank of Crimea.

14. Banks may conduct all or some of the following operations:

- the acceptance and distribution of deposits and credits;
- the performance of settlement services at the request of clients and correspondent banks;
- the keeping of account records for clients and correspondent banks;
- the financing of capital investments at the request of the owners or administrators of the funds to be invested;
- the issuance of payment documents and other securities (checks, letters of credit, bills of exchange, stocks, bonds, and others);
- the purchase, sale, and safekeeping of payment documents and other securities and the performance of other operations with them;
- the issuance of vouchers, guarantees, and other payment bonds for third parties envisaging execution in monetary form;
- the acquisition of accounts receivable for goods and services and the assumption of the risk of executing the demands for payment and collecting payment (factoring);
- the acquisition of means of production with their own funds for subsequent rental (or leasing);
- the purchase of foreign currency from organizations and citizens and the sale of foreign currency in cash and currency in commercial and savings accounts to them (in accordance with the procedure envisaged by this edict, existing laws, and administrative documents of the Republic Bank of Crimea);
- the purchase and sale of precious metals, natural precious stones, and items made of precious metals and precious stones within the territory of the Crimean Republic and beyond its borders (including abroad);
- the acceptance and distribution of precious metals deposited in commercial and savings accounts and other operations with these assets in accordance with international banking practices;

—the performance of fiduciary functions—the acceptance and distribution of funds, the management of securities, and other operations—at the request of clients;

—the performance of consulting services;

—the performance of operations connected with the execution of the state budget of the Crimean Republic at the request of the Republic Bank of Crimea;

—the performance of other banking operations in accordance with international banking practices that are not prohibited specifically by this edict.

15. All commercial banks within the territory of the Crimean Republic may conduct operations with residents of the Crimean Republic.

16. The Crimean Interbank Currency Exchange will be established to regulate the circulation of foreign currency within the territory of the Crimean Republic.

Resident organizations and enterprises will sell at least 50 percent of their foreign currency receipts through the Crimean Interbank Currency Exchange after its establishment. Until the exchange has been established, the circulation of foreign currency will be regulated in accordance with the Edict of the President of the Crimean Republic "On Foreign Currency Regulation and Currency Control."

The base rates of exchange of the karbovanets in relation to the monetary units of foreign states will be established on the basis of supply and demand in line with the results of trading sessions in the Crimean Interbank Currency Exchange.

Only residents of the Crimean Republic (banks, enterprises, and organizations, irrespective of property status and form of ownership) may participate in trading sessions in the Crimean Interbank Currency Exchange.

17. The Government of Crimea and the Republic Bank of Crimea will draft a bill "On Banks and Banking Within the Territory of the Crimean Republic" within two months after the date this edict goes into force and will submit it to the Crimean Supreme Council for approval; they will draft and approve a Statute on the Crimean Interbank Currency Exchange.

This edict will go into force on the date it is signed.

[Signed] Yu. Meshkov, President of Crimean Republic
Simferopol
11 April 1994
No 38/94

Wind-Powered Electric Power Stations Viewed

944E0773A Moscow *RABOCHAYA TRIBUNA*
in Russian 29 Apr 94 p 6

[Report by RABOCHAYA TRIBUNA correspondent Georgiy Dorofeyev: "The Energy Crisis. Let Us Remember the Power of Wind"]

[Text] The Slavyanskiy Plant of High-Voltage Towers has put into production wind-driven power-generating systems. It is currently completing the first order placed by Wind-energo, a joint Ukrainian-American enterprise, for 50 systems, which will be incorporated into the power-generation system of Crimea. The first three systems are already undergoing testing, and the rest are coming up.

One such system, set up in a steppe, coastal, or mountain area where the average daily wind force reaches 5 meters

a second, produces 1,500-1,700 kw-hours of power a month; an alternative method of production would have required 600-700 kg of coal or 150-170 kg of diesel fuel.

It is easy to calculate what kind of economy 50 such systems will deliver. Wind-driven power-generating systems means power generation without smog, high culture, and a clean environment.

It is not accidental that other organizations have also become interested in the production of alternative power-generation systems. The plant recently received another order for 350 such systems. They can work either as part of a grid or autonomously, for individual use. Naturally such systems will be in great demand among farmers, members of cooperatives, and on collective farms located far from major consumer power grids. A rival to fuel-based power generation is being born.

BELARUS

Kebich Urges Economic Union With Russia

PM2904090194 Moscow PRAVDA in Russian
29 Apr 94 pp 1-2

[Oleg Stepanenko report on interview with Belarusian Prime Minister Vyacheslav Kebich: "The Way Out of the Crisis Lies in Union With Russia"]

[Text] Minsk—"I will be put on trial," Vyacheslav Frantsavich said with bitter irony when we met.

I already knew this to be the case: National-Radical deputies have approached the Prosecutor's Office, demanding that he be charged with treason against the state. Specifically for signing a treaty on a unified monetary system with Russia, one paragraph of which—concerning the status of the national bank—contradicts the relevant article of the Constitution.

It seems that his life since he was elected chairman of the Council of Ministers of the Belarusian Soviet Socialist Republic nearly four years ago has been composed entirely of dramatic events. His attempts to salvage the economy—the decline in production, inflation, the decline in living standards, the constant attacks from the right wing and the national reformers, and the criticism from the left.... "You adapt to living as if under fire in a trench," he confessed to journalists.

But whereas these years which have washed like a destructive wave over all the former republics of the Union, have seen several heads of government in Belarus' neighbors, starting with Russia, come and go, Kebich has survived. Because he has occupied a key post for all this time, he has naturally had more of a chance than many others to make sense of the processes that have brought society to the brink of disaster.

From the vantage point of his accumulated experience, how does he currently view the ways and means for getting Belarusia out of the crisis and providing its people with a decent life? This was the question, a question of interest to all of us, that I put to Kebich first of all.

There Is Only One Way

[Kebich] Basically, the only way I can see is close union with Russia, the establishment of an effective model for the economy and a just society. This is the main thing.

[Stepanenko] You would put union with Russia first?

[Kebich] Yes. Without it Belarusia has no future. Blood kinship, shared roots, and age-old unity with the Russian people are not the only issue here. We are united economically. Almost all our energy resources, raw materials, and the bulk of our components come from Russia, and two-thirds of our products are sent to Russia. The destruction of the Union and the disruption of economic ties is a tragedy whose disastrous consequences are being

felt in all the republics; it is a tragedy that has become an economic Chernobyl for Belarusia. Our only salvation lies in integration. The unification of monetary systems, for which, as you know, I had to fight all the way, is just the first step in the direction of full economic union with Russia. If you like, this is the only realistic way not only of surviving, but also of retaining our sovereignty. [Kebich ends]

Just the day before, during a meeting with industrialists and entrepreneurs who nominated him as a candidate for the presidency, Kebich issued a sharp rebuke to those who have kicked up a fuss about the "crimes" of a government which, by signing a treaty on the monetary system, has supposedly deprived the republic of its sovereignty. And he voiced his profound conviction that Belarusia actually lost its sovereignty following the breakup of the Union, when it became "independent," because disorder and poverty are a road to servitude and total dependence on others. Opponents of economic union with Russia, he noted in a subsequent talk with journalists, are prisoners of medieval illusions.

[Stepanenko] But why unite with Russia alone? After all, there was a time when you advocated economic union within the framework of the Commonwealth.

[Kebich] I have not given up on this idea. But you will recall how the politicians conducted themselves: They all destroyed even what was enshrined in the agreement on the CIS—a single economic area, a single ruble, and joint Armed Forces. With every summit meeting I became more and more convinced that national ambitions and selfishness were being put first. Everyone was in it only for what they could get out of it. I realized that we needed to come up with another, more realistic option. Without destroying the Commonwealth, within its framework, those who are more prepared to integrate, for example, and whose economy basically compels them to do so as a result of objective ties, should draw closer together. And I put forward the idea of an economic union of Russia, Ukraine, Kazakhstan, and Belarusia.... [Kebich ends]

This was Kebich's *idee fixe*. He plugged it whenever he could: He secured the approval of the Supreme Soviet and discussed the concept on several occasions with Chernomyrdin, Kuchma, and Tereshchenko. The planned union of four, and subsequently, owing to the deterioration of the situation in Ukraine, three, was open to other CIS member states, and was to have been the basis for a subsequent economic union of all Commonwealth countries. But it proved impossible to set it up. Whereupon Kebich concentrated his efforts in just one direction—union with Russia.

[Kebich] Of course, we will go further—we will completely restore the single economic area and single economic organism. I am sure this will accelerate the unification process on a Commonwealth-wide scale. Here in Belarusia, this system will enable us to keep alive the largest enterprises and whole sectors such as those

involved in radioelectronics, machine-building, and oil refining. Russia too will benefit: It will not have to establish industries paralleling the ones operating here, nor will it have to shut down enterprises working in collaboration with Belarusia.

The second condition for getting ourselves out of the crisis, as I have already mentioned, is the establishment of an effective model for the economy. And here, I think, we need to rid ourselves of one or two illusions.

You Cannot Be Wiser Than Life

[Kebich] First and foremost we need to openly acknowledge that the economic model proposed by the radical reformers is bankrupt. Let me be more specific: A policy geared to indiscriminate destruction of the past and all the forms and principles of the previous economic system is not only wrongheaded, it is actually ruinous. This is borne out by everything, by the way the production situation is developing and by experience—our own experience, I mean not just Belarusia's, but the experience of all former Union republics and world experience as a whole.

Let me begin with an extremely obvious fact. This model has not achieved success anywhere on the territory of the former USSR. On the contrary, the more the model has been applied, the more the economy has fallen apart. We, for example, immediately refused to adopt the ideas put forward by the radical marketeers—wholesale liberalization and total privatization. And we thereby prevented the kind of collapse we are seeing among our neighbors.

[Stepanenko] But your opponents claim that until recently Belarusia was being helped along by cheap Russian oil.

[Kebich] Excuse me, this is just political speculation and deception. For Russia and its enterprises, oil and gas were even cheaper, but production there has declined at a far quicker rate than in Belarusia.

[Stepanenko] Specialists say the fact that the republic survived and did not go under with just 4 percent of its own raw materials and components is nothing short of an economic miracle.

[Kebich] To a certain extent it really was a miracle. It is important to understand why. We kept to the safety margin that we had in the previous economic system. Let me remind you that back in 1989 the national income grew by almost 8 percent and was probably the highest in the world. Despite all the distortions and deformations which for dozens of years were imposed on this economic system, its healthy foundation, and particularly its planning system, demonstrated its advantages. In order to extricate ourselves from the crisis, we intend to bolster rather than weaken this foundation. How did Franklin Roosevelt extricate the U.S. economy from the crisis caused by the elemental forces of the free market? By planned programs, and control and regulation of prices and interest rates.

Even today in West Europe, EEC countries' agricultural production prices are planned and handed down from Brussels. And what about the Southeast Asian market and the Japanese economic miracle? Once again, it was achieved with the help of extremely vigorous and soundly based scientific planned regulation. Quite frankly, I was amazed by a fact I learned not so long ago. Almost 30 years ago in Canada our workers witnessed an operation where, in the space of just four hours, information was collated on the quantity, range, and quality of footwear all over the country, as well as the demand for these products—and this information was then used to make forecasts and adjust plans.

[Stepanenko] So apparently in Canada they threw all their intellectual resources and all the structures of state and science into combating the elemental forces of the market? And in our country these things have become disconnected?

[Kebich] Precisely. And now, in order to extricate ourselves from the crisis, we need to make the connection again. It is time for us to say good-bye to the euphoria over private property, which is alleged to be the only way of creating real owners and ensuring the best results. World experience has dispelled this illusion long ago. In many developed countries almost half the enterprises are owned by the state and operate no less efficiently than private ones. And what about agriculture? Nowadays it should be clear to anyone that the best results are achieved on state-owned land in Holland and the state-run cooperatives of Israel. China has fed 1.5 billion people without private ownership. And the production indicators of people leasing land (in West Europe this accounts for almost 50 percent)—and I stress leasing, not owning—are no worse than the indicators of those who own it.

What about our Belarusian experience? Despite all our shortcomings and making do with far less equipment than Western farmers, the republic's kolkhozes and sovkhozes have produced 150 percent more milk per head of population than all the farms in the United States. And we have caught up with them in terms of the amount of meat produced per head of population, you know.

Mistakes Must Be Corrected

[Stepanenko] Nevertheless, Vyachaslav Frantsavich, Belarusia has also given ground. Laws have been adopted opening the way for private ownership and a privatization program....

[Kebich] You know, if all forces—our own "democratic reformers," the Russians, and the world community—are pressuring us, one single country taken separately, and moreover a country without raw materials and energy resources, it is practically impossible to resist all alone. The government, of course, is to blame, but primarily because it was the government during this difficult period.

It is even said that I am against the market. No, I am not against it. The market exists in all modern countries. There was even a market in the USSR. I am opposed to the kind of market which has been foisted on us by the radical democrats. I am convinced that privatization should not be imposed by force. At the meeting I had with industrialists, for example, they expressed their opposition to the privatization of a number of major enterprises. I said: Let the labor collectives decide. A program is a program, and life is life. But we have not permitted private land ownership in agricultural commodity production. Only on personal plots and gardens, but these are basically privately owned anyway. We have taken account not only of the greater efficiency of collective forms of ownership, but also the unificatory commune principles inherent in the soul of the people and the Slav mentality.

[Stepanenko] This ties in directly with the theme of a just society, the need for which you spoke at the beginning of our talk.

[Kebich] Yes, I am convinced that unless we pursue a policy of building a just society, we will never climb out of the pit. It sometimes seems to me that we are standing on the edge of a moral abyss and spiritual catastrophe. Today immorality has become the rule, trickery and deception are commonplace, and cynicism is a virtue; an amazing change has taken place in people of all social groups. Ugly economic relations primarily engender legal and moral thuggery. We need to struggle against this. We must not place a nuclear bomb under the economy which will blow society to smithereens. We must not divide society even more into rich and poor—it has already been divided enough. We need to correct our mistakes, honestly acknowledging that they were made chiefly in important matters rather than trifles.

[Stepanenko] So then, Vyachaslaw Frantsavich, do we need to make adjustments or completely change course?

[Kebich] What, is it better to persist in wandering off on the wrong track? Right now a reappraisal of what has been done is already under way. People in Russia are beginning to overcome the consequences of the narrowly monetarist approach of the shock-therapy reforms which destroyed the economy. I am sure that the bitter experience of the recent perestroika and reformist eras will help us to find the right way to extricate ourselves from the crisis. And I hope we will come out of it alongside Russia rather than separately.

Constitution of the Republic of Belarus

Text of Constitution

944K1081A Minsk SOVETSKAYA BELORUSSIYA
in Russian 30 Mar 94 pp 2-3

["Constitution of the Republic of Belarus"]

[Text] We the people of the Republic of Belarus, proceeding from responsibility for the present and future of Belarus, recognizing ourselves to be a full subject of the

world community and confirming our commitment to values common to all mankind, taking as a basis our inalienable right to self-determination, relying on the age-old history of the development of Belarusian statehood, endeavoring to firmly establish the rights and liberties of each citizen of the Republic of Belarus, and wishing to ensure civil harmony and the permanent foundations of the power of the people and a state based on the rule of law, adopt this constitution—the basic law of the Republic of Belarus.

Section 1. PRINCIPLES OF THE CONSTITUTIONAL SYSTEM

Article 1. The Republic of Belarus is a unitary democratic social state based on the rule of law.

The Republic of Belarus is supreme and possesses the fullness of power on its territory and exercises domestic and foreign policy independently.

The Republic of Belarus defends its independence and territorial integrity and the constitutional system and ensures legality and law and order.

Article 2. Man is the highest value of society and the state.

The state is responsible to the citizen for the creation of the conditions for the free and worthy development of the personality. The citizen is responsible to the state for the unswerving discharge of the obligations entrusted to him by the constitution.

Article 3. The sole source of state power in the Republic of Belarus are the people. The people exercise their power directly and via representative authorities in the forms and within the limits determined by the constitution.

All actions in respect to the achievement of state power by forcible methods and also by way of some violation of the laws of the Republic of Belarus shall be punished in accordance with the law.

Article 4. Democracy in the Republic of Belarus shall be exercised on the basis of a diversity of political institutions, ideologies, and opinions.

The ideology of political parties, religious or other public associations, or social groups may not be established as obligatory for the citizens.

Article 5. Political parties and other public associations shall, operating within the framework of the constitution and the laws of the Republic of Belarus, contribute to the ascertainment and expression of the political will of the citizens and shall participate in elections.

Political parties and other public associations are entitled to avail themselves of the official news media in the procedure determined by the law.

The creation and the activity of political parties and, equally, other public associations whose purpose is a forcible change in the constitutional system or which

engage in propaganda of war or national, religious, or racial hatred are prohibited.

Article 6. The state takes as a basis the principle of the separation of powers: legislative, executive, and judicial. State authorities are within their competence independent: they interact among themselves and check and balance one another.

Article 7. The state and all its authorities and officials shall be bound by the law and shall operate within the limits of the constitution and the laws adopted in accordance with it.

Legal enactments or individual provisions thereof deemed in the procedure established by law to conflict with the provisions of the constitution shall not be legally valid.

Enforceable enactments of state authorities shall be published or brought to general notice in some way specified by the law.

Article 8. The Republic of Belarus recognizes the priority of the generally recognized principles of international law and shall ensure that legislation correspond to them.

The conclusion of international treaties that conflict with the constitution is prohibited.

Article 9. The territory of the Republic of Belarus is the natural condition of the existence and spatial limit of the self-determination of the people and the basis of their well-being and the sovereignty of the Republic of Belarus.

The territory of Belarus is unified and inalienable.

The territory is divided into oblasts, rayons, cities, and other administrative-territorial units. The administrative-territorial division of the state shall be determined by law.

Article 10. A citizen of the Republic of Belarus shall be guaranteed the protection and patronage of the state both on the territory of Belarus and outside.

No one may be deprived of citizenship of the Republic of Belarus or the right to change his citizenship.

A citizen of the Republic of Belarus may not be extradited to a foreign state unless otherwise specified by international treaties of the Republic of Belarus.

Citizenship shall be acquired and lost in accordance with the law.

Article 11. Foreign citizens and stateless persons on the territory of Belarus shall enjoy rights and liberties and discharge obligations on a par with citizens of the Republic of Belarus, unless otherwise determined by the constitution, laws, and international treaties.

Article 12. The Republic of Belarus may grant asylum to persons persecuted in other states for political or religious beliefs or for their national affiliation.

Article 13. The state shall accord everyone equal rights for the exercise of economic and other activity, except for that prohibited by law, and guarantee equal protection and equal conditions for the development of all forms of ownership.

The state shall regulate economic activity in the interests of man and society.

The law may determine facilities which are the property only of the state and also enshrine the exclusive right of the state to undertake particular types of activity.

Article 14. The state shall regulate relations between social, national, and other communities on the basis of the principles of equality before the law and respect for their rights and interests.

Article 15. The state shall be responsible for preservation of the historical and cultural heritage and the free development of the cultures of all national communities which live in the Republic of Belarus.

Article 16. All religions and creeds are equal before the law. The establishment of some advantages or restrictions in respect to one religion or creed in relation to others shall not be permitted.

The activity of religious organizations and their bodies and representatives which is aimed against the sovereignty of the Republic of Belarus and its constitutional system and civil harmony or which entails a violation of citizens' rights and liberties is prohibited.

Relations of the state and religious denominations shall be regulated by law.

Article 17. The official language of the Republic of Belarus is Belarusian.

The Republic of Belarus shall provide for the right of unrestricted use of Russian as the language of interethnic communication.

Article 18. The Republic of Belarus shall proceed in its foreign policy from the principles of states' equality, the nonuse or threat of force, the sanctity of borders, the peaceful settlement of disputes, noninterference in internal affairs, and other generally recognized principles and rules of international law.

The Republic of Belarus aims to make its territory a nuclear-free zone, and the state, neutral.

Article 19. The symbols of the Republic of Belarus as a sovereign state are its national flag, national coat of arms, and national anthem.

Article 20. The capital of the Republic of Belarus is the city of Minsk.

The status of the city of Minsk shall be determined by law.

Section II. THE INDIVIDUAL, SOCIETY, AND THE STATE

Article 21. Assurance of the rights and liberties of the citizens of the Republic of Belarus is the highest purpose of the state.

The state guarantees the rights and liberties of the citizens of Belarus enshrined in the constitution and the laws and specified by the international commitments of the state.

Article 22. All are equal before the law and are entitled without any discrimination to equal protection of rights and legitimate interests.

Article 23. Qualification of the rights and liberties of the individual shall be permitted only in the instances specified by law in the interests of national security, public order, and the defense of the morals and health of the population and the rights and liberties of other persons.

No one may enjoy advantages or privileges that conflict with the law.

Article 24. Everyone has the right to life.

The state shall protect the life of the individual against all unlawful endangerments.

Until it is abolished, the death penalty may be applied in accordance with the law as an exceptional measure of punishment for particularly serious crimes and only in accordance with the verdict of a court of law.

Article 25. The state ensures the freedom, inviolability, and dignity of the individual. The restriction or deprivation of personal liberty are possible in the instances and in the procedure established by law.

A person who has been taken into custody shall be entitled to judicial verification of the legality of his detention or arrest.

No one should be subjected to torture or to cruel, inhuman, or degrading treatment or punishment or be subjected without his consent to medical or other experiments.

Article 26. No one may be found guilty of a crime unless his guilt has been proven in the procedure specified by law and established by the verdict of a court which has acquired the force of law. A defendant shall not be required to prove his innocence.

Article 27. No one should be compelled to testify or provide explanations against himself, members of his family, or his close relatives. Evidence obtained in violation of the law is legally invalid.

Article 28. Everyone has the right to protection against unlawful interference in his private life, against encroachment on the secrecy of his correspondence and telephone and other communications and against his honor and dignity included.

Article 29. Inviolability of the dwelling and other legitimate possessions of the citizens is guaranteed. No one has the right without just cause to enter into the dwelling or other lawful possession of the citizen against his wishes.

Article 30. Citizens of the Republic of Belarus have the right to move without restriction and choose their place of residence within the Republic of Belarus, to leave it, and to return to it without hindrance.

Article 31. Everyone is entitled to independently determine his attitude toward religion, confess individually or together with others any religion or to confess none, to express and disseminate beliefs connected with his attitude toward religion, and to participate in the celebration of religious cults, rituals, and ceremonies.

Article 32. Marriage and the family and motherhood, fatherhood, and childhood are under the protection of the state.

Women and men shall upon reaching the age of consent have the right on a voluntary basis to enter into marriage and start a family. Husband and wife are equal in family relationships.

Parents or persons in loco parentis are entitled and are required to raise the children and display concern for their health, development, and tuition. A child must not be subjected to cruel treatment or humiliation or be enlisted in work which could be harmful to its physical, mental, or moral development. Children are required to display concern for their parents and also for the persons substituting for them and to render them assistance.

Article 33. Everyone is guaranteed freedom of opinions and beliefs and their free expression.

No one may be forced to express his beliefs or to deny them.

Monopolization of the news media by the state, public associations, or individual citizens and also censorship are not allowed.

Article 34. Citizens of the Republic of Belarus are guaranteed the right to obtain, store, and disseminate full, reliable, and timely information on the activity of state authorities and public associations and on political, economic, and international life and on the state of the environment.

State authorities, public associations, and officials are required to afford a citizen of the Republic of Belarus an opportunity to familiarize himself with material affecting his rights and legitimate interests.

Article 35. Freedom of assembly, meetings, street marches, demonstrations, and picketing not violating law and order or the rights of other citizens of the Republic of Belarus are guaranteed by the state. The procedure of realization of the said activities shall be determined by law.

Article 36. Everyone has the right to freedom of association.

Judges, employees of the public prosecutor's office, and staff of the internal affairs authorities, the Control Chamber of the Republic of Belarus, and the security authorities and servicemen may not be members of political parties or other public associations pursuing political ends.

Article 37. Citizens of the Republic of Belarus are entitled to participate in the solution of matters of state both directly and via freely elected representatives. The direct participation of the citizens in the administration of the affairs of society and the state shall be ensured by the holding of referenda and the discussion of draft laws and matters of republic and local significance and in other ways determined by law.

Article 38. Citizens of the Republic of Belarus have the right to vote without restriction and to run for state office on the basis of universal, equal, and direct suffrage by ballot.

Article 39. Citizens of the Republic of Belarus have, in accordance with their capabilities and professional training, the right to equal access to all offices in state authorities.

Article 40. Everyone has the right to send personal or collective appeals to the state authorities.

The state authorities and also officials are required to examine an appeal and provide a response in point of substance within the timeframe specified by law. A refusal to consider an appeal which has been submitted must be justified in writing.

Article 41. Citizens of the Republic of Belarus are guaranteed the right to labor as the worthiest mode of man's self-assertion, that is, the right to choice of profession and type of occupation and work in accordance with their vocation, capabilities, education, and vocational training, and with regard to social requirements and also to healthy and safe working conditions.

The state shall create the conditions for full employment. In the event of a person not being employed for reasons which are beyond his control, he shall be guaranteed instruction in new specialties and an upgrading of his qualifications with regard to social requirements and also unemployment benefit in accordance with the law.

Citizens have the right to defense of their economic and social interests, including the right to associate in trade unions and to conclude collective contracts (agreements) and the right to strike.

Forced labor, other than work or service determined by the sentence of a court or in accordance with the act governing a state of emergency or martial law, is prohibited.

Article 42. Persons working for wages are entitled to compensation for the work they have done in accordance with its quantity, quality, and social significance, but not

less than the minimum established by the state. Women and men and adults and minors are entitled to equal compensation for work of equal value.

Article 43. Working people have the right to recreation. For those working for wages this right shall be secured by the establishment of a work week of not more than 40 hours, shorter working hours at night time, and the allocation of paid annual leave and days of weekly recreation.

Article 44. The state guarantees everyone the right of property.

A proprietor has the right to possess, enjoy, and dispose of assets both individually and jointly with other persons. The inviolability of property and the right to inherit it are protected by law.

The compulsory alienation of assets is permitted only by reason of public need, with observance of the conditions and the procedure determined by law and with timely and full compensation for the value of the alienated assets, and also in accordance with the verdict of a court of law.

Exercise of the right of ownership must not cause harm to the environment or historical and cultural values or infringe the rights of other persons or their rights protected by law.

Article 45. Citizens of the Republic of Belarus are guaranteed the right to health care, including free treatment in state health-care institutions.

The right of the citizens of the Republic of Belarus to health care shall be secured also by the development of physical culture and sport, measures to improve the environment, the possibility of the use of health-and-fitness establishments, and an improvement in occupational safety.

Article 46. Everyone is entitled to pleasant surroundings and to compensation for damage caused by violations of this right.

Article 47. Citizens of the Republic of Belarus are guaranteed the right to social security in old age and in the event of illness, disability, loss of fitness for work, and loss of the breadwinner and in other instances specified by law. The state shall display particular concern for persons who have lost their health in the defense of state and public interests.

Article 48. Citizens of the Republic of Belarus have the right to habitation. This right shall be secured by the development of state, public, and private housing and assistance to the citizens in the purchase of housing.

No one may be deprived of housing arbitrarily.

Article 49. Everyone has the right to education. Accessible and free general, secondary, and vocational-technical education is guaranteed.

Secondary specialized and higher education shall be accessible to all in accordance with the capabilities of each. Everyone may on a competitive basis obtain the corresponding education in state educational institutions free of charge.

Article 50. Everyone is entitled to preserve his national affiliation, as, equally, no one may be compelled to determine or indicate national affiliation.

Insults against national dignity shall be prosecuted according to the law.

Everyone has the right to use his native language and choose the language of communication. The state guarantees, in accordance with the law, freedom of choice of language of education and tuition.

Article 51. Everyone has the right to participate in cultural life. This right shall be secured by the general accessibility of the values of native and world culture in state and public collections and by the development of the network of cultural and educational institutions.

Freedom of artistic, scientific, and technical creativity and teaching is guaranteed.

Intellectual property is protected by law.

Article 52. Everyone on the territory of the Republic of Belarus is required to observe its constitution and laws and to respect national traditions.

Article 53. Everyone is required to respect the dignity, rights, liberties, and legitimate interests of other persons.

Article 54. Everyone is required to preserve the historical and cultural heritage and other cultural values.

Article 55. Protection of the environment is the duty of everyone.

Article 56. Citizens of the Republic of Belarus are required to participate in the funding of government spending by way of the payment of state taxes and dues and other payments.

Article 57. Defense of the Republic of Belarus is the obligation and sacred duty of the citizen of the Republic of Belarus.

The procedure of military service and the grounds and conditions for exemption from military service or its replacement by alternative service shall be determined by law.

Article 58. No one may be constrained to perform duties not specified by the Constitution of the Republic of Belarus and its laws or to deny his rights.

Article 59. The state is required to adopt all measures accessible to it for the creation of the internal and international order necessary for the realization in full of rights and liberties of the citizens of the Republic of Belarus specified by the constitution.

Article 60. State authorities, officials, and other persons to whom the exercise of official functions has been entrusted are required to adopt within their jurisdiction the necessary measures for realization and protection of the rights and liberties of the individual.

These authorities and persons shall be held liable for actions violating the rights and liberties of the individual.

Article 61. Everyone is guaranteed protection of his rights and liberties by a competent, independent, and impartial court of law in the timeframe specified by law.

For the purpose of defense of their rights, liberties, honor, and dignity the citizens shall be entitled to seek in legal form both redress for property damage and material compensation for moral damage.

Article 62. Everyone has the right to legal aid for the realization and defense of rights and liberties, including the right to use at any moment the assistance of lawyers and other of one's representatives in court, other state authorities, and organs of local administration, at enterprises, and in establishments, organizations, and public associations and in relations with officials and citizens. In the instances specified by law, legal aid shall be rendered at the expense of public funds.

Opposition to the rendering of legal aid in the Republic of Belarus is prohibited.

Article 63. The realization of the rights and liberties of the individual specified by this constitution may be suspended only under the conditions of a state of emergency or martial law in the procedure and within the limits determined by the constitution and the law.

The rights specified in Article 24, part three of Article 25, and Articles 26 and 31 of the constitution may not be qualified at the time of the implementation of special measures in a period of a state of emergency.

Section III. ELECTORAL SYSTEM. REFERENDUM

Chapter 1. Electoral System

Article 64. The elections of deputies and other persons elected to state office by the people are universal: Citizens of the Republic of Belarus who have reached the age of 18 are eligible to vote.

Citizens deemed incompetent by a court of law and persons held in accordance with the verdict of a court in places of confinement shall not participate in elections. Persons in respect to whom preventive punishment—custody—has in the procedure established by criminal-procedure legislation be chosen shall not participate in the ballot. Any direct or indirect qualification of the citizens' suffrage in other instances is impermissible and punishable according to the law.

Article 65. The age qualification of the deputies and other persons elected to state office shall be determined by the corresponding laws, unless otherwise specified by the constitution.

Article 66. Elections are free: The voter decides personally whether to take part in elections and for whom to vote.

Elections shall be prepared and held openly and publicly.

Article 67. Elections shall be equal: The voters shall have an equal number of votes.

The number of voters in each constituency should be roughly equal.

Candidates running for public office shall participate in elections on an equal basis.

Article 68. Elections are direct: The deputies are elected by the citizens directly.

Article 69. The elections shall be conducted by ballot: Control of the expression of the electorate's wishes in the course of the ballot is prohibited.

Article 70. Public associations, the work force, and the citizens have the right to nominate candidates for deputy in accordance with the law.

Article 71. Expenditure on the preparation and the holding of elections shall be borne by the state within the limits of the funds allocated for this purpose.

Article 72. Election commissions shall provide for the holding of elections.

The procedure of the holding of elections shall be determined by the laws of the Republic of Belarus.

Elections shall not be held in a period of a state of emergency or martial law.

Chapter 2. Referendum (National Ballot)

Article 73. Republic and local referenda may be conducted for the solution of most important questions of state and public life.

Article 74. Republic referenda shall be scheduled by the Supreme Soviet of the Republic of Belarus in accordance with a proposal of the president of the Republic of Belarus or no fewer than 450,000 citizens eligible to vote.

No more than 30 days following the submittal for its consideration, in accordance with the law, of the proposals of the president or the citizens concerning the

holding of a referendum, the Supreme Soviet shall be required to schedule a date for the holding of a republic referendum.

The question of the holding of a republic referendum may also be considered by the Supreme Soviet on the initiative of no fewer than 70 deputies of the Supreme Soviet of the Republic of Belarus.

Article 75. Local referenda shall be scheduled by the corresponding local representative authorities on their own initiative or in accordance with the proposal of not less than 10 percent of citizens eligible to vote and resident on the corresponding territory.

Article 76. The referenda shall be conducted by way of general, free, and equal ballot.

Citizens of the Republic of Belarus eligible to vote shall participate in referenda.

Article 77. The decisions adopted by referendum may be canceled or revised only by way of referendum, unless otherwise determined by the referendum.

Article 78. The procedure of the realization of republic and local referenda and also the list of questions that may not be put to a referendum shall be determined by the law of the Republic of Belarus.

Section IV. LEGISLATURE, EXECUTIVE, AND JUDICIARY

Chapter 3. Supreme Soviet of the Republic of Belarus

Article 79. The Supreme Soviet of the Republic of Belarus is the highest representative permanent and sole legislative organ of state power of the Republic of Belarus.

Article 80. The Supreme Soviet shall consist of 260 deputies elected by the citizens of the Republic of Belarus.

Any citizen of the Republic of Belarus who is eligible to vote and who has attained to the age of 21 may be a deputy of the Supreme Soviet.

Article 81. The term of the Supreme Soviet shall be five years.

The powers of the Supreme Soviet may be terminated early in accordance with a decree of the Supreme Soviet adopted by a majority of no less than two-thirds of the elected deputies.

Elections of a new Supreme Soviet shall be scheduled no later than three months prior to the completion of the term of the Supreme Soviet.

Article 82. The first sitting of the Supreme Soviet shall be convened by the Central Commission of the Republic of Belarus for Elections and Republic Referenda no later than 30 days after the elections.

Article 83. The Supreme Soviet of the Republic of Belarus shall:

- 1) schedule republic referenda;
- 2) adopt and revise the constitution;
- 3) adopt laws and decrees and exercise supervision of their execution;
- 4) provide an interpretation of the constitution and the laws;
- 5) schedule elections of deputies of the Supreme Soviet and the local soviets of deputies; presidential elections;
- 6) form the Central Commission for Elections and Republic Referenda;
- 7) elect the Constitutional Court of the Republic of Belarus, the Supreme Court of the Republic of Belarus, the Supreme Economic Court of the Republic of Belarus, the prosecutor general of the Republic of Belarus, the chairman and council of the Control Chamber of the Republic of Belarus, and the chairman and members of the board of the National Bank of the Republic of Belarus;
- 8) determine the procedure of the solution of questions of the administrative-territorial arrangement of the state;
- 9) determine the guidelines of the domestic and foreign policy of the Republic of Belarus;
- 10) confirm the republic budget, the report on its administration, and the allowances from all-state taxes and revenue for the local budgets;
- 11) establish republic taxes and charges and exercise supervision of money issue;
- 12) ratify and denounce international treaties of the Republic of Belarus;
- 13) adopt amnesty decisions;
- 14) determine military policy;
- 15) declare war and conclude peace;
- 16) institute government awards and class ranks and titles of the Republic of Belarus;
- 17) adopt decrees on the dissolution of local soviets of deputies and schedule new elections in the event of their systematic or flagrant violation of the requirements of legislation;
- 18) rescind directives of the chairman of the Supreme Soviet of the Republic of Belarus in instances where they conflict with the laws and decrees of the Supreme Soviet.

The Supreme Soviet may decide other questions in accordance with the constitution.

Article 84. The deputies shall vote at sittings of the Supreme Soviet in person.

Laws and decrees of the Supreme Soviet shall be considered adopted provided that a majority of elected deputies have voted for them, unless otherwise specified by the constitution.

Adopted laws shall within 10 days' time following adoption be forwarded for the president's signature.

Article 85. The Supreme Soviet shall elect from the ranks of the deputies of the Supreme Soviet a chairman of the Supreme Soviet, a first deputy chairman of the Supreme Soviet, and deputy chairmen of the Supreme Soviet.

Article 86. The chairman of the Supreme Soviet shall be elected by ballot. He shall be accountable to the Supreme Soviet.

Article 87. The chairman of the Supreme Soviet of the Republic of Belarus shall:

- 1) exercise general leadership of the preparation of questions to be considered by the Supreme Soviet;
- 2) chair sittings of the Supreme Soviet;
- 3) represent the Supreme Soviet in relations with bodies and organizations within the country and abroad;
- 4) sign decrees adopted by the Supreme Soviet;
- 5) introduce to the Supreme Soviet the candidates for the office of first deputy chairman and deputy chairmen of the Supreme Soviet, prosecutor general, and chairman of the Control Chamber;
- 6) direct the work of the Supreme Soviet bureaucracy.

The chairman of the Supreme Soviet issues directives.

The first deputy chairman and the deputy chairmen of the Supreme Soviet of the Republic of Belarus shall perform on behalf of the chairman of the Supreme Soviet certain of his duties and substitute for the chairman of the Supreme Soviet in the event of his being absent or it not being possible for him to perform certain of his duties.

Article 88. The Supreme Soviet shall elect from the ranks of the deputies standing commissions and other bodies for bill-drafting work, the preliminary consideration and preparation of questions within the jurisdiction of the Supreme Soviet, and the supervision of execution of the laws.

If necessary, the Supreme Soviet may create investigative, auditing, and other temporary commissions.

Article 89. A Presidium of the Supreme Soviet of the Republic of Belarus shall be created for organization of the business of the Supreme Soviet.

The Presidium of the Supreme Soviet shall be composed of the chairman of the Supreme Soviet, the first deputy

chairman of the Supreme Soviet, the deputy chairmen of the Supreme Soviet, and deputies in the procedure specified by the standing orders of the Supreme Soviet.

The Supreme Soviet Presidium shall be headed by the chairman of the Supreme Soviet.

Article 90. The right of legislative initiative in the Supreme Soviet of the Republic of Belarus shall belong to deputies of the Supreme Soviet, the standing commissions of the Supreme Soviet, the president, the Supreme Court, the Supreme Economic Court, the prosecutor general, the Control Chamber, and the National Bank and also citizens eligible to vote in a number of no fewer than 50,000.

Article 91. The powers of the Supreme Soviet shall be retained until the opening of the first sitting of the Supreme Soviet of the new convocation.

Article 92. A deputy of the Supreme Soviet shall exercise his authority in the Supreme Soviet on a professional basis or, as he desires, without a break from industrial or office activity.

The president, members of the Cabinet of Ministers, and judges and also other persons appointed to office by the president or following consultation with him may not be deputies of the Supreme Soviet.

Article 93. A deputy of the Supreme Soviet shall not be held legally liable for his activity in the Supreme Soviet exercised in accordance with the constitution, both in the period of execution of his deputy's authority and after the completion of his term.

A deputy of the Supreme Soviet may not be arraigned on criminal charges, be detained, or otherwise deprived of personal liberty without the consent of the Supreme Soviet, except in instances of arrest at the scene of a crime.

Criminal proceedings against a deputy of the Supreme Soviet may be instituted by the prosecutor general with the consent of the Supreme Soviet, and in the period between sessions, with the consent of the Supreme Soviet Presidium.

Article 94. The procedure of the activity of the Supreme Soviet and its bodies and deputies shall be determined by the standing orders of the Supreme Soviet, which shall be adopted by the Supreme Soviet and signed by its chairman, and also other legislative instruments of the Republic of Belarus.

Chapter 4. President of the Republic of Belarus

Article 95. The president of the Republic of Belarus is the head of state and the executive.

Article 96. A citizen of the Republic of Belarus who is at least 35 years of age, is eligible to vote, and who has been resident in the Republic of Belarus for at least 10 years may be elected president.

Article 97. The president is elected directly by the people of the Republic of Belarus. The president's term is five years. One and the same person may be president for no more than two terms.

Candidates for the office of president shall be nominated by no fewer than 70 deputies of the Supreme Soviet, and by citizens of the Republic of Belarus, with no fewer than 100,000 voters' signatures.

Elections for president shall be scheduled by the Supreme Soviet no later than five months and held no later than two months following the expiration of the term of the previous president.

If the office of president falls vacant, elections shall be held no sooner than 30 days and no later than 70 days from the time the office fell vacant.

Article 98. It shall be considered that elections have been held if more than half the citizens of the Republic of Belarus on the electoral roll have taken part in the ballot.

The president shall be deemed elected if more than half the citizens of the Republic of Belarus who took part in the ballot voted for him.

If no candidate amasses the requisite number of votes, a second round of voting for the two candidates who obtained the largest number of votes shall be conducted within two weeks. The presidential candidate who obtained in the runoff more than half the votes of those who took part in the ballot shall be considered elected.

The procedure of presidential elections shall be determined by law of the Republic of Belarus.

Article 99. The president assumes office after he has taken the oath, which reads as follows:

"Assuming the office of president of the Republic of Belarus, I solemnly swear to serve the people of the Republic of Belarus, observe the constitution and the laws of the Republic of Belarus, and conscientiously discharge the high obligations entrusted to me."

The oath shall be administered in a ceremonial atmosphere at a special sitting of the Supreme Soviet of the Republic of Belarus no later than two months from the day the president is elected. The term of the previous president ends as of the moment the newly elected president takes the oath.

Article 100. The president of the Republic of Belarus shall:

- 1) adopt measures to guard the sovereignty, national security, and territorial integrity of the Republic of Belarus and ensure political and economic stability and for observance of the rights and liberties of the citizens;
- 2) direct the system of organs of the executive and ensure their interaction with the representative authorities;

- 3) create and abolish ministries, state committees, and other central organs of administration of the Republic of Belarus;
 - 4) with the consent of the Supreme Soviet appoint and dismiss the prime minister and his deputies, the ministers of foreign affairs, finance, defense, and internal affairs, and the chairman of the Committee for State Security; appoint and dismiss other members of the cabinet; accept the resignation of the persons specified in this clause;
 - 5) introduce to the Supreme Soviet the candidates for election to the offices of chairman of the Constitutional Court, chairman of the Supreme Court, chairman of the Supreme Economic Court, and chairman of the board of the National Bank;
 - 6) annually present to the Supreme Soviet reports on the state of the nation and on his own initiative or in accordance with a proposal of the Supreme Soviet inform the Supreme Soviet of the Republic of Belarus as to the realization of the domestic and foreign policy of the Republic of Belarus;
 - 7) deliver addresses to the people of the Republic of Belarus and the Supreme Soviet;
 - 8) report to the Supreme Soviet on the program of activity of the Cabinet of Ministers;
 - 9) be entitled to participate in the business of the Supreme Soviet and its bodies and to present to them at any time a speech or report;
 - 10) appoint judges of the Republic of Belarus, other than those whose election is within the jurisdiction of the Supreme Soviet;
 - 11) appoint other officials, whose offices are determined in accordance with the law, unless otherwise specified by the constitution;
 - 12) decide questions of admittance to citizenship of the Republic of Belarus and its termination and the granting of asylum;
 - 13) confer government awards and bestow class ranks and titles;
 - 14) pardon convicted citizens;
 - 15) represent the state in relations with other countries and international organizations;
 - 16) conduct negotiations and sign international treaties and appoint and recall diplomatic representatives of the Republic of Belarus in foreign states and at international organizations;
 - 17) receive the credentials and letters of recall of diplomatic representatives of foreign states accredited to him;
 - 18) in the event of a natural disaster or catastrophe and also unrest accompanied by violence or the threat of violence on the part of a group of persons and organizations, as a result of which a danger to people's life and health and the territorial integrity and existence of the state has arisen, introduce on the territory of the Republic of Belarus or in particular localities thereof a state of emergency with the submittal within three days' time of the adopted decision for approval by the Supreme Soviet;
 - 19) in the instances specified by law be entitled to postpone a strike or suspend it for a period of no more than two months;
 - 20) sign laws and be entitled no later than 10 days following the receipt of a law to return it with his objections to the Supreme Soviet for further discussion and a vote. If by a majority of no less than two-thirds of the elected deputies the Supreme Soviet upholds the decision it adopted earlier, the president shall be required to sign the law within three days' time; a law that is not returned within the said timeframe shall be considered signed;
 - 21) be entitled to rescind enactments of organs of the executive under his jurisdiction;
 - 22) suspend decisions of the local soviets of deputies in the event of their failing to correspond to the law;
 - 23) head the Security Council of the Republic of Belarus;
 - 24) be the commander in chief of the armed forces of the Republic of Belarus;
 - 25) introduce martial law on the territory of the Republic of Belarus in the event of a threat of war or attack and announce full or partial mobilization;
 - 26) exercise other authority entrusted to him by the constitution and the laws.
- The president is not entitled to delegate to some bodies or officials his powers as head of state.
- Article 101.** The president issues within his competence edicts and directives and organizes and supervises their fulfillment.
- Article 102.** The president may not hold other positions or receive monetary compensation aside from his pay, except for royalties for works of science, literature, and art.
- The president shall suspend membership of political parties and other public associations pursuing political ends for the whole of his term in office.
- Article 103.** The president may tender his resignation at any time. The president's resignation shall be accepted by the Supreme Soviet.

Article 104. The president may be removed from office in the event of a violation of the constitution or his perpetration of a crime and also relieved of office early should it be impossible for him to perform his duties on the grounds of his state of health by a decree of the Supreme Soviet adopted by a majority of no less than two-thirds of the elected deputies of the Supreme Soviet.

The question of removal of the president may be raised in accordance with the proposal of no fewer than 70 deputies of the Supreme Soviet. Findings concerning a violation by the president of the constitution shall be provided by the Constitutional Court, and on the perpetration of a crime, by a special commission of the Supreme Soviet. As of the moment of the presentation of the findings of the Constitutional Court concerning a violation of the constitution or the findings of a special commission concerning the perpetration of a crime, the president may not perform his duties prior to a corresponding decision being rendered by the Supreme Soviet.

In the event of the removal of a president in connection with the perpetration of a crime, the case shall be examined on the merits of the charge by the Supreme Court.

Article 105. In the event of the office of president falling vacant or it not being possible for the president to perform his duties, his powers until the swearing-in of the newly elected president shall be transferred to the chairman of the Supreme Soviet.

In this case the obligations of chairman of the Supreme Soviet shall be transferred to the first deputy chairman of the Supreme Soviet.

Article 106. A Cabinet of Ministers of the Republic of Belarus shall be formed under the auspices of the president of the Republic of Belarus for realization of the authority of the executive in the spheres of the economy, foreign policy, defense, national security, and the safeguarding of public order and other fields of state administration.

Article 107. The Cabinet of Ministers shall relinquish its authority before a newly elected president.

Members of the Cabinet of Ministers shall be appointed and dismissed by the president. The prime minister, his deputies, the ministers of foreign affairs, finance, defense, and internal affairs, and the chairman of the Committee for State Security shall be appointed and dismissed by the president with the consent of the Supreme Soviet.

The prime minister shall exercise direct leadership of the activity of the Cabinet of Ministers, sign instruments of the Cabinet of Ministers that are binding throughout the territory of the Republic of Belarus, and discharge other functions entrusted to him.

The Supreme Soviet shall be entitled to receive a report from any member of the Cabinet of Ministers on questions of execution of the laws. In the event of the violation by a member of the Cabinet of Ministers of the constitution and the laws, the Supreme Soviet shall have the right to raise before the president the question of his early dismissal.

Article 108. The jurisdiction of the Cabinet of Ministers and the procedure of its activity shall be determined on the basis of the constitution by the Law on the Cabinet of Ministers of the Republic of Belarus.

Chapter 5. The Court

Article 109. Judicial authority in the Republic of Belarus belongs to the courts.

The judicial system in the Republic of Belarus is determined by the law.

The formation of special courts is prohibited.

Article 110. In the exercise of justice judges are independent and subordinate only to the law.

Any interference in the activity of judges in the administration of justice is impermissible and entails liability in accordance with the law.

Article 111. Judges may not engage in entrepreneurial activity or perform other paid work, other than lecturing or scientific research which does not involve holding regular staff positions.

The grounds for the election (appointment) of judges and their dismissal are specified by law.

Article 112. The courts shall administer justice on the basis of the constitution, the laws, and other enforceable enactments adopted in accordance with them.

If during the hearing of a specific case a court reaches a conclusion concerning the failure of an enforceable enactment to conform to the constitution or other law, it shall make a ruling in accordance with the constitution and the law and raise in the established procedure the question of this enforceable enactment being deemed unconstitutional.

Article 113. Cases in court shall be tried collegially, and in the instances specified by law, by judges individually.

Article 114. The trial of cases in all courts shall be open.

The hearing of cases in a closed session of the court shall be permitted only in the instances determined by law, with the observance of all the rules of legal procedure.

Article 115. Justice shall be administered on the basis of adversary proceeding and the equality of the parties in the trial.

Article 116. The parties shall have the right to appeal rulings, sentences, and other judicial decisions.

Section V. LOCAL ADMINISTRATION AND SELF-GOVERNMENT

Article 117. Local administration and self-government shall be exercised by the citizens via the local soviets of deputies, executive and administrative authorities, organs of territorial community self-government, local referenda, assemblies, and other forms of direct participation in state and public matters.

Article 118. The local soviets of deputies shall be elected by citizens of the corresponding administrative-territorial units for a four-year term.

Article 119. The local soviets of deputies and executive and administrative authorities shall within their competence decide questions of local significance on the basis of all-state interests and the interests of the populace residing on the corresponding territory and execute the decisions of superior state authorities.

Article 120. The following pertain to the exclusive jurisdiction of the local soviets of deputies:

confirmation of programs of economic and social development and local budgets and accounts of their administration;

the establishment in accordance with the law of local taxes and dues;

the determination within the limits established by the law of the procedure of the administration and disposal of municipal property;

the scheduling of local referenda.

Article 121. The local soviets of deputies and the executive and administrative authorities shall on the basis of current legislation adopt decisions that are binding on the corresponding territory.

Article 122. Decisions of the local soviets of deputies not corresponding to legislation shall be reversed by superior soviets of deputies.

Decisions of local executive and administrative authorities not corresponding to legislation shall be reversed by the corresponding soviets of deputies and superior executive and administrative territorial authorities and also by the president of the Republic of Belarus.

Decisions of local soviets of deputies and their executive and administrative-territorial authorities restricting or violating the rights, liberties, and legitimate interests of the citizens and also in other instances specified by legislation may be appealed in a court of law.

Article 123. In the event of the systematic or flagrant violation by a local soviet of deputies of the requirements of legislation, it may be dissolved by the Supreme Soviet. Other grounds for the early termination of the authority of local soviets of deputies shall be determined by law.

Article 124. The competence and the procedure of the creation and the activity of organs of local administration and self-government shall be determined by law.

Section VI. STATE CONTROL AND SUPERVISION**Chapter 6. Constitutional Court of the Republic of Belarus**

Article 125. Supervision of the constitutionality of enforceable enactments in the state shall be exercised by the Constitutional Court of the Republic of Belarus.

Article 126. The Constitutional Court of the Republic of Belarus shall be elected by the Supreme Soviet of the Republic of Belarus from qualified specialists in the field of law in a composition of 11 judges. The term of members of the Constitutional Court shall be 11 years. The age limit for members of the Constitutional Court is 60.

Persons elected to the Constitutional Court may not engage in entrepreneurial activity or perform other paid work other than lecturing and scientific research not involving the holding of regular staff positions.

Persons elected to the Constitutional Court shall be entitled to tender their resignation at any time.

Direct or indirect pressure on the Constitutional Court or its members connected with activity pertaining to the exercise of constitutional supervision is impermissible and shall incur liability in accordance with the law.

Article 127. In accordance with proposals of the president, the chairman of the Supreme Soviet, standing commissions of the Supreme Soviet, no fewer than 70 deputies of the Supreme Soviet, the Supreme Court, the Supreme Economic Court, and the prosecutor general, the Constitutional Court shall produce findings on:

the conformity of laws, international treaties, and other commitments of the Republic of Belarus to the constitution and instruments of international law ratified by the Republic of Belarus;

the conformity of legal instruments of interstate formations of which the Republic of Belarus is a part, edicts of the president, and decrees of the Cabinet of Ministers and also enactments of the Supreme Court, the Supreme Economic Court, and the prosecutor general of a prescriptive nature to the constitution, the laws, and instruments of international law ratified by the Republic of Belarus.

The Constitutional Court shall have the right to examine at its discretion the question of the conformity of enforceable enactments of any state authority and public association to the constitution and the laws and instruments of international law ratified by the Republic of Belarus.

Article 128. Enforceable enactments and international treaty or other obligations deemed by the Constitutional

Court to be unconstitutional in view of their violation of human rights and liberties shall be deemed legally invalid as a whole or in a particular part thereof as of the moment the corresponding enactment is adopted.

Other enforceable enactments of state authorities and public associations and international treaty or other obligations deemed by the Constitutional Court not to correspond to the constitution, the laws, or instruments of international law ratified by the Republic of Belarus shall be deemed invalid as a whole or in a particular part thereof from a time determined by the Constitutional Court.

Prescriptive-legal instruments of interstate formations of which the Republic of Belarus is a part deemed by the Constitutional Court not to correspond to the constitution, the laws, or instruments of international law shall be deemed null and void on the territory of the Republic of Belarus as a whole or in a particular part thereof from a time determined by the Constitutional Court.

The Constitutional Court shall make rulings by a simple majority of the votes of the full bench of justices.

Article 129. The findings of the Constitutional Court are final and not subject to appeal or protest.

Article 130. The Constitutional Court has the right to submit proposals to the Supreme Soviet on the need for revisions and addenda to the constitution and also on the adoption and revision of laws. Such proposals shall be subject to obligatory consideration by the Supreme Soviet.

Article 131. Persons elected to the Constitutional Court may not be arraigned on criminal charges, arrested, or otherwise deprived of personal liberty without the consent of the Supreme Soviet, other than in instances of detention at the scene of a crime.

Criminal proceedings against a member of the Constitutional Court may be instituted by the prosecutor general with the consent of the Supreme Soviet.

Article 132. The competence and organization and procedure of the activity of the Constitutional Court shall be determined by the law.

Chapter 7. The Procuracy

Article 133. Supervision of the precise and uniform execution of the laws by ministries and other bodies under the jurisdiction of the Cabinet of Ministers, local representative and executive authorities, enterprises, organizations, and institutions, public associations, officials, and citizens shall be entrusted to the prosecutor general of the Republic of Belarus and the prosecutors subordinate to him.

The procuracy shall exercise supervision of execution of the laws in the investigation of crimes, the conformity to the law of judicial decisions in civil and criminal cases and in cases involving administrative offenses in the

instances specified by law, conduct pretrial investigations, and support official prosecution in the courts.

Article 134. The uniform and centralized system of arms of the procuracy shall be headed by a prosecutor general elected by the Supreme Soviet.

Junior prosecutors shall be appointed by the prosecutor general.

Article 135. The prosecutor general and the junior prosecutors shall be independent in the exercise of their authority and shall be guided only by the law. The prosecutor general shall be accountable in his activity to the Supreme Soviet.

Article 136. The competence and the organization and procedure of the activity of the arms of the procuracy shall be determined by law.

Chapter 8. Control Chamber of the Republic of Belarus

Article 137. Control of the administration of the republic budget, the use of public property, and the execution of enactments of the Supreme Soviet regulating public property relationships and economic, financial, and tax relationships shall be exercised by the Control Chamber.

Article 138. The Control Chamber shall be formed by the Supreme Soviet and shall operate under its leadership and be accountable to it.

Article 139. The chairman of the Control Chamber shall be elected by the Supreme Soviet for a five-year term.

Article 140. The competence and the organization and procedure of the activity of the Control Chamber shall be determined by law.

Section VII. FINANCIAL AND CREDIT SYSTEM OF THE REPUBLIC OF BELARUS

Article 141. The financial and credit system of the Republic of Belarus includes the budget system and the banking system and also the financial resources of off-budget funds, enterprises, institutions, and organizations and the citizens.

A unified budgetary-financial, tax, credit, and currency policy is pursued on the territory of the Republic of Belarus.

Article 142. The budget system of the Republic of Belarus includes the republic and local budgets.

Budget revenue is formed from taxes determined by the law and other mandatory payments and also other receipts.

State spending is realized from the republic budget in accordance with its revenue side.

In accordance with the law, off-budget funds may be formed in the Republic of Belarus.

Article 143. The procedure of the compilation, confirmation, and administration of the budget and state off-budget funds shall be determined by law.

Article 144. An account of administration of the republic budget shall be presented for consideration by the Supreme Soviet no later than five months following the completion of the fiscal year in review.

Accounts of administration of the local budgets shall be submitted for consideration by the corresponding soviets of deputies within the timeframe determined by legislation.

Accounts on the administration of the republic and local budgets shall be published.

Article 145. The banking system of the Republic of Belarus consists of the National Bank of the Republic of Belarus and other banks. The National Bank regulates credit relations and cash in circulation and determines the procedure of payments and has the exclusive right to issue money.

Section VIII. THE WORKINGS OF THE CONSTITUTION OF THE REPUBLIC OF BELARUS AND THE PROCEDURE OF ITS REVISION

Article 146. The constitution has supreme legal force. Laws and other instruments of state authorities shall be promulgated on the basis and in accordance with the Constitution of the Republic of Belarus.

In the event of a discrepancy between a law and the constitution, the constitution shall operate, and in the event of a discrepancy between an enforceable enactment and a law, the law shall operate.

Article 147. The question of a revision of and addendum to the constitution shall be considered by the Supreme Soviet on the initiative of no fewer than 150,000 citizens of the Republic of Belarus who are eligible to vote, no fewer than 40 deputies of the Supreme Soviet, the president, or the Constitutional Court.

Article 148. A law on a revision of and addendum to the constitution may be adopted following two debates and approvals of the Supreme Soviet with an interval of no fewer than three months.

Revisions and addenda to the constitution shall not be made in a period of a state of emergency or also in the final six months of the term of the Supreme Soviet.

Article 149. The constitution, laws on revisions and addenda thereto and on the implementation of the constitution and the said laws, and enactments on an interpretation of the constitution shall be deemed adopted if no less than two-thirds of the elected deputies of the Supreme Soviet have voted for them.

Revisions and addenda to the constitution may be made via a referendum. A decision on a revision or addendum

to the constitution by way of a referendum shall be deemed adopted if a majority of citizens on the electoral roll have voted for it.

[Signed] M. Grib, chairman of the Supreme Soviet of the Republic of Belarus
15 March 1994
Minsk

Constitution Implementation Procedure

944K1081B Minsk SOVETSKAYA BELORUSSIYA
in Russian 30 Mar 94 p 1

["Law of the Republic of Belarus: On Procedure of Implementation of the Constitution of the Republic of Belarus"]

[Text] **Article 1.** The Constitution of the Republic of Belarus shall take effect the day it is published, except for individual provisions thereof which shall take effect in the procedure and within the timeframe established by this law.

Article 2. The day the Constitution of the Republic of Belarus is adopted is declared a holiday.

Article 3. The articles of the 1978 Constitution of the Republic of Belarus with the subsequent revisions and addenda and also the Law of the Republic of Belarus of 25 August 1991 "On Imparting the Status of Constitutional Law to the Declaration of the Supreme Soviet of the Republic of Belarus on the State Sovereignty of the Republic of Belarus" shall terminate on the day that the Constitution of the Republic of Belarus takes effect, unless otherwise specified by this law.

Article 4. The laws specified in the Constitution of the Republic of Belarus must be adopted within two years after it has taken effect. For the purpose of assurance of the unconditional execution of the adopted Constitution of the Republic of Belarus to create a Constitutional Court of the Republic of Belarus within a month's time following the implementation of the Constitution of the Republic of Belarus.

Article 5. Laws and other enforceable enactments shall prior to their alignment with the Constitution of the Republic of Belarus operate to the extent that they do not conflict with the Constitution of the Republic of Belarus.

Article 6. Laws regulating the transition to realization of the rights specified in articles 30 (in regard to unrestricted movement and choice of place of residence within the Republic of Belarus) and 46 of the Constitution of the Republic of Belarus must be adopted within two years following implementation of the Constitution of the Republic of Belarus. This transition must be completed no later than five years following implementation of the corresponding laws.

Article 7. People's deputies of the Republic of Belarus shall retain their authority until the opening of the first sitting of the 13th Supreme Soviet of the Republic of Belarus.

The authority of the 12th Supreme Soviet of the Republic of Belarus and its Presidium and of the chairman of the Supreme Soviet of the Republic of Belarus specified by the 1978 Constitution of the Republic of Belarus with the subsequent revisions and addenda shall be preserved until the inauguration of the president of the Republic of Belarus, and the authority of the Council of Ministers of the Republic of Belarus, until the formation in the procedure specified by the 1994 Constitution of the Cabinet of Ministers of the Republic of Belarus.

Following the inauguration of the president of the Republic of Belarus, the 12th Supreme Soviet of the Republic of Belarus and its Presidium and the chairman of the Supreme Soviet of the Republic of Belarus shall exercise their authority specified by the 1994 Constitution.

Officials elected or appointed by the 12th Supreme Soviet of the Republic of Belarus shall preserve their authority for the timeframe established by legislation.

Article 8. To establish that use of the name "Soviet of People's Deputies" shall be authorized instead of the name "Soviet of Deputies" on official forms, seals, stamps, and other official documents in 1994-1995.

Article 9. To instruct the chairman of the Supreme Soviet of the Republic of Belarus to sign the Constitution of the Republic of Belarus.

[Signed] M. Grib, chairman of the Supreme Soviet of the Republic of Belarus
15 March 1994
Minsk

MOLDOVA

Botnaru Comments on Dniester Issues

944K1159A Moscow ROSSIYA in Russian
No 16, 26 Apr-3 May 94 p 5

[Interview with Ion Botnaru, first deputy minister of foreign affairs of Moldova, by Lyudmila Petrova; place and date not given: "Will the Banks of the Dniester Meet?"]

[Text] The spectral Dniester Republic has been in existence for more than three years now, and whatever epithets are devised for it, the realization that it will no longer be possible to return to the status quo and that the Dniester region will have to be recognized in some capacity has appeared in Kishinev [Chisinau]. In what capacity is the question. This was the topic of an interview for a ROSSIYA correspondent granted by Ion Botnaru, first deputy minister of foreign affairs of Moldova.

[Petrova] Many people are saying that, following the parliamentary elections and the Consultation With the People poll, the situation in Moldova has changed and

that it is now highly propitious for a solution of the conflict between the banks of the Dniester. Do you also believe this?

[Botnaru] Yes, I too believe that extra incentives for a resumption of the process of dialogue have appeared. Why? First, the results of the poll confirmed once again that we will not unite with Romania. The realization of the poll was an accommodatory step toward and, I would say even, a concession to the left bank.

Second, a consensus of political forces came about during the elections, in my opinion. Everyone already recognizes that special status is necessary for the Dniester region.

And, third, which political party could within six months or a year be considered to be coping with its obligations as the country's ruling party unless there is a change in the situation? That is, from the political viewpoint the possibility of a solution of the conflict is very favorable.

[Petrova] All the negotiations between Chisinau and Tiraspol have become frozen in a discussion of the conditions under which they should be held. Are there fears that things will get no further this time also?

[Botnaru] Yes, because the Left Bank perceives each concession of ours as a display of weakness and, correspondingly, demands the next concession. But there should be a different view of the situation: We are not weak, we are adults and we recognize how dangerous the situation is, and we are for this reason agreeing even to contacts with illegal structures—just as long as the "cart" of the negotiations starts to move. Now, after Russia has displayed good will and the CSCE has expressed its recommendations, the process of negotiations should move ahead.

[Petrova] What kind of status is Moldova prepared to offer the Dniester region?

[Botnaru] First and foremost, the status of the Dniester region must in no way impinge on the territorial integrity of the Republic of Moldova. Consequently, there must be one constitution, a common foreign policy, a common monetary system, a common macroeconomic policy, and common borders and customs. We must take account of the variegated ethnic composition of the population of the country and the existence within it of areas with the compact residence of Gagauz, Bulgarians, and Ukrainians. If we take the path of comminution, we will create a very dangerous precedent for Europe. We can, however, find formats whereby the local structures operate in the central government.

[Petrova] But the Dniester region is as yet sticking to the idea of a confederation or, at least, a federation and declaring that such an arrangement of the state would not mean a violation of its integrity.

[Botnaru] The declarations concerning a federation are connected more with a desire to preserve some structures. But if there is a common budget, and it must be common, the need for the elimination of all parallel structures will naturally arise.

LITHUANIA

Seimas Adopts National Energy Program

944K1109A Vilnius LIETUVOS RYTAS in Lithuanian
14 Apr 94 p 2

[Article by Rita Grumadaite: "Number of Officials Assigned to Land Reform to be Supplemented"]

[Text] Lithuania will remain a country using atomic energy, at least until the year 2004-2007, when its exploitation will end. This is foreseen in the Program for Restructuring the National Energy Complex approved yesterday at a meeting of the government leadership. Deputy energy minister S. Kutas, the head of the program, indicated that measures would be implemented to increase reactor operation safety during the period of time foreseen for the operation of the Ignalina atomic energy station. A decision on the continued use of nuclear energy is expected to be made in approximately five years, when international experience will have formulated a clear opinion regarding the future of atomic programs and when very safe and reliable nuclear installations will have been created.

Plans call for completion in 1994-1995 of formerly halted construction on the third and fourth blocks and the upper reservoir of the Kruonis power plant. As S. Kutas told LIETUVOS RYTAS, the cost of this work is nearly \$30 million. However, this sum includes the amount already paid to purchase some of the necessary equipment. There will also be incentives for projects dedicated to the assimilation and use of water, wind, and geothermal energy. In the coming two decades, specialists are planning to decrease approximately by half the amount of energy consumed to produce one unit of national production.

After the draft for a health insurance law was presented, the attendees of the meeting noted the absence of a financial analysis for the draft. Prime Minister A. Slezevicius indicated that "large amounts of money were involved and this threatened an increase in taxes." The draft foresees two types of health insurance—compulsory and voluntary—with supplemental health care services compensation on the basis of a voluntary contract.

Because this version of the future law "takes into account insurance traditions as well as the experience that the world has gained in the past 100 years," as its authors noted, it differs from the alternative drawn up by the Social Democrats. L. Alesionka, a member of the Seimas Health, Social Affairs, and Labor committee, also criticized that alternative version, asserting that he supported the draft being presented at the meeting "as a physician and a future patient", and proposed that the working group give "a detailed explanation of the mechanism" to the members of the leadership. The proposal was accepted and the draft will be deliberated again in May.

167,600 litas from the government reserve account was earmarked to increase the wage fund for the executive and government institutions of cities and district local governments, in order to be able to hire more workers at agencies that are organizing land exploitation. According to agriculture minister R. Karazija, one specialist is no longer able to both prepare and record in time the legal documents associated with land ownership and land use—"they are falling behind because there are not enough workers." As long as the right of ownership is not recorded and the lots are not marked on the land cadaster map, the land market will not be able to operate and there will be problems in resolving disputes.

Nationwide, 350,000 house possessions have to be legitimized, and about 50,000 farmers want to settle their land ownership matters each year.

Transportation minister J. Birziskis responded: why should the number of officials be increased, perhaps it would be worthwhile to reassign them in a more efficient way? In response, R. Karazija said that there is no precedent for the case of returning all the land in Lithuania.

At the meeting, amendments were approved to laws allowing citizens to receive monetary compensation for still existent real estate that they had previously owned. However, Kaunas city deputy mayor J. Vengraitis reiterated how urgent the problem of recovering ownership of buildings is in the cities, especially in Kaunas. Property owners there want to regain ownership of about 1500 houses. If an incredibly large sum of money—10 million litas—were allocated each year to the local government there, this process would take 18 years. He presented a radical proposal by the Kaunas city council—to settle with the owner for his property at the market price, but to discuss financial issues related to the return of property after a corresponding portion of state property had been privatized for cash.

Although finance minister E. Vilkelis—who was chairing the meeting then in place of the prime minister, who had departed—said that "the train had already left the station" and that such a discussion should have taken place before the laws being amended on this day were adopted, the proposal received the support of industry and commerce minister K. Klimasauskas, and subsequently also the support of others—"the train can still be caught."

The minister believed that it would be worthwhile to try to sell at least 10 percent of property for cash. The industry and commerce ministry as well as the economics ministry were charged with preparing drafts of such a proposal.

2 million litas in this year's state budget are earmarked for implementation of the Restitution Act. The constitution also recognizes other traditional religious communities, so these funds are also allotted to traditional non-Roman Catholic confessions, taking into account their approximate number of adherents and the requests of the heads of the religious communities. A resolution

was approved at the meeting, on the basis of which the Supreme Orthodox Council of Lithuania, the Protestant Lutheran Consistory, the College of Reformed Protestants, the Greek Rite Catholic Community, the Karaite Religious Community, the Orthodox Eparchy of Vilnius, the Vilnius Sunni Muslim Community, and the Vilnius Jewish Religious Community will also receive some of this money.

March Economic Statistics Reported

944K1109B Vilnius LIETUVOS RYTAS in Lithuanian
13 Apr 94 p 11

[ELTA agency information: "The Country's Economic Development in March"]

[Text] Vilnius, 12 April (ELTA)—Compared to February, there was a 23 percent increase in March in sales of extracting and processing industry production, considerable increases in loads transported by rail, ocean-going, and river transportation, and increases in animals, poultry, milk, and eggs bought, according to ELTA, citing information provided by the Statistics Department of the government of the Republic of Lithuania.

With respect to farms nationally, there was a 38 percent increase over February in animals and poultry (live weight) bought, and a 30 percent decrease compared to March a year ago. 20 percent more milk was bought than in January, and the increase in eggs bought was no less than 44 percent.

There was no less than a 20 percent increase in loads transported by ocean-going vessels, a 6.6 percent increase for loads going by rail, and a 4.6 percent increase for loads going by river transportation.

According to initial data, the turnover of retail goods in comparative prices increased in March by 17.3 percent, whereas it had decreased by 4.6 percent in February, as compared to January.

In March there was an increase of 3.9 percent in the number of individuals unemployed and seeking work, while the number of registered unemployed decreased by 2.5 percent, and the number of available jobs increased by 3 percent. The latter figure points to a positive trend, since in February, the number of available jobs had decreased 14.4 percent.

The consumer price index in March 1994 was 103.3 when compared to February, and 111.4 when compared with the end of last year.

Social Democrats Initiate No Confidence Procedure Against Government

944K1109C Vilnius LIETUVOS RYTAS in Lithuanian
13 Apr 94 p 2

[Article by Arturas Racas: "As They Express Their Lack of Confidence in the Government, the LSDP Faction Also Indicates a Way Out of the Crisis: a Broad Coalition"]

[Text] At a press conference held yesterday at the Seimas, Social Democratic faction representatives A. Sakalas and V. Andriukaitis acquainted the journalists with documents related to the procedure of no confidence in the government that this faction is initiating. The journalists were also informed that 13 Seimas members had already signed the text of the declaration of no confidence in the government, and that seven additional members intended to sign in the near future. (The signatures of 29 members of Seimas are required for the Seimas to take up deliberation of the issue of no confidence in the government.)

Seimas deputy chairman A. Sakalas set forth the main principles on the basis of which the Social Democrats were expressing their lack of confidence in the LDDP government. According to him, the current government did not implement its strategic pledges and did not present a vision of the future of Lithuania. "We do not know what kind of industrial structure is foreseen for Lithuania, or what Lithuanian agriculture will be like and whether the effort will be exerted to make it effective. We also do not know what kind of banking structure we will have," A. Sakalas noted. In his opinion, the government has heretofore said nothing about the development of the services system, or about solving transit problems, including military transit. There was also nothing being said about the creation of free economic zones, the development of infrastructure, or the problems of employment and unemployment.

Also, according to the head of the Social Democratic party, the government was operating without adhering to the program that it had adopted.

He asserted that in the wake of the actions of the current government, Lithuania has "eaten" its way to a \$174 million debt, and that this debt will have to be repaid from the pockets of the taxpayers or by using new loans. "The economic crisis continues to deepen, and industrial and agricultural production is decreasing", A. Sakalas continued, noting that no one foresees when this crisis might end. He also characterized as fictitious the increase in residents' income proclaimed by the government, since about 70 percent of this increase was achieved by using foreign credits, and the remainder came from "eating up" the savings of residents and enterprises, as well as from the "economy" to compensate for unpaid taxes.

A. Sakalas is of the opinion that responsibility for the situation in the country also falls on opposition parties and that this responsibility takes various forms. These include the proposal by the conservatives to initiate early elections, something which A. Sakalas considers unrealistic at this time; or the suggestion to "pick off one minister at a time", which Sakalas says is being proposed by certain LDDP representatives; or simply operating on the basis of the principle "It's none of my concern" and observing the situation passively. According to A. Sakalas, the Christian Democrats have chosen this last route, asserting that "We did not appoint this government, and so it isn't for us to dismiss it either." The

Social Democratic leader appraised that kind of position by the Christian Democratic party as "political impotence or hypocrisy in not wanting to see the poverty of the Lithuanian people."

When asked who might replace the government led by A. Slezevicius, V. Andriukaitis said that considering the extent of the crisis, "it is doubtful whether a single political force could or can lead Lithuania out of that crisis." He believes that no one political force currently has such a level of popular support that its proposed reforms would be accepted.

V. Andriukaitis noted that "the problem of coalitions is becoming the urgent concern for all political parties at this time." In his opinion, political forces could make a pact of concord for two years, regulate the decision-making process in the Seimas, form a new government, and confirm its new program.

70 Percent of Lithuania's Enterprises Privatized

944K1110A Vilnius LIETUVOS RYTAS in Lithuanian 14 Apr 94 p 10

[ELTA agency information: "70 Percent of All Enterprises in Lithuania Have Been Privatized"]

[Text] Vilnius, 13 April (ELTA)—Since privatization began, 4524 enterprises, or 70 percent of all enterprises to be privatized, have been privatized. Privatized state capital—488.3 million litas—comprises 46 percent of all capital foreseen for privatization.

2133 large- and medium-scale enterprises (478.2 million litas) have been privatized through public subscription of stocks, and 2391 small-scale enterprises (9.9 million litas) have been sold at auction.

Of the large-scale enterprises that were privatized, 547—the largest group—were industrial enterprises (288.1 million litas); 485 were construction enterprises (66.9 million litas); and 422 were commercial enterprises (39.2 million litas).

Of the enterprises sold at auction, 1050—the largest group—were commercial enterprises (3.6 million litas), whereas 784 enterprises, with a capital of 2.4 million litas, were in the household services sector.

One-time payments by the state and other special-purpose compensations were being sold at the 4-11 April auctions for an average price of 48 cents. The highest price (60 centas) was in Vilkaviskis district, the lowest in Jurbarkas district (30 centas).

The privatization department also announced that, in accordance with the government's 28 March decree "Regarding the indexing of the permanent assets and funds residing in investment accounts of enterprises, institutions, and organizations", the Central Privatization Commission had decided at its 8 April meeting to stop privatization of all enterprises whose privatization was to have started after 1 April, as well as of all those

that were to announce a new public subscription of stock after 1 April or were to once again hold auctions after 1 April. The founders of these enterprises are obligated to submit revised privatization programs for these enterprises to the Ministry of Economics by 25 April.

Ozolas Assesses Status of Center Union Party

944K1110B Vilnius LIETUVOS RYTAS in Lithuanian 14 Apr 94 p 27

[Interview with Romualdas Ozolas, chairman of the Center Union, by Arturas Racas; place and date not given: "The Center Union is Focused on Not Yet Existent Individual-Oriented Entities and Does Not Intend to Represent the Large Capitalists"]

[Text] In a week's time, it will be exactly two years since the establishment of a centrist-oriented party in Lithuania was publicly declared. Exactly three months after that declaration, the constituent assembly of the Center movement took place on 22 July 1992, and on 5 June 1993, the constituent conference of a political party, the Lithuanian Center Union. On 27 October 1993, the Center Union was registered at the Ministry of Justice.

At present, there are over 400 members in the Center Union, which is represented in the Seimas by R. Ozolas and E. Bickauskas.

LIETUVOS RYTAS presents an interview with Romualdas Ozolas, Chairman of the Lithuanian Center Union.

[Racas] Of the political forces that currently exist and have representatives in the Seimas, the Center Union is the newest organization, and in addition, an organization which does not have a historical past. Why did Lithuania need the Center Union?

[Ozolas] The Center Union is a political organization that came into being and now operates on the basis of liberalistic viewpoints. On the whole, liberalism in Lithuania is quite a recent phenomenon and lacks deeper traditions here. In a country where the tradition of conservatism is fundamental, basic, and oriented towards far in the future, parties with liberalistic viewpoints and their adherents truly are choosing a very difficult path. We understood this from the outset, but we made up our minds to take this step nevertheless. We believe that we had to decide to take this step for Lithuania's future: whether Lithuania will be democratic or autocratic depends on whether the political viewpoint of liberalism—consolidated to at least some significant extent—exists here.

The right with its national conservatism and the left with its cosmopolitan conservatism automatically orient Lithuania towards a single party, and the battle between these two forces may determine the development of Lithuania for a long time. Since the left is—in terms of history—condemned, and the right is the position of

future parties, we believe that it is improper and dangerous to repeat the political route taken by Lithuania up to 1940. So if we, understanding the prerogatives granted us by history and the necessity of resisting the pull towards repeating what was done in the past, do not carry out our duty, we, as political leaders, will not, on the whole, have justified our purpose, and as people we will not be able to rest in peace even after we are dead.

I believe that in rising as a third force, liberalism can guarantee the development of a third political force in Lithuania. I find it very unfortunate that the Liberal Union of Lithuania, by responding in such a strange fashion to the economic situation, has heretofore identified persistently with the right, even though the complex of issues associated with the left and the right in Lithuania has not yet become sufficiently clear.

[Racas] You are emphasizing the third, or the so-called middle way. What is it like, how does it differ from the ways that the left and the right are proposing?

[Ozolas] The right as well as the left are offering guarantees to aggregate wholes. We are offering guarantees to individuals—to individual-oriented entities. Through these guarantees offered to individuals, we are trying to provide guarantees for those aggregate constituencies that could then join together and be the leading forces for Lithuania as it moved toward openness, toward the world, towards the ability—through openness—to keep in step with a dynamic world that is on the verge of the 21st century. Despite the pull towards autocracy, that world will be democratic. This is also demonstrated by the fact that the great empires have collapsed, as we had predicted. The Soviet Union and its autocracy is already gone, and after some time, a similar fate, it seems, will befall China and its imperial structure, and still later, the United States, although, to be sure, on a different basis.

[Racas] You maintain that the Center Union is oriented towards individual-oriented entities. Keeping in mind that in the past elections you were unable to overcome the 4 percent hurdle, is it possible to assert that these individual-oriented entities do not yet exist in Lithuania?

[Ozolas] That's absolutely correct. Lithuania is for the time being still not prepared to live through the life of the individual person. For now, group life has to be guaranteed for Lithuania: guarantees for pensioners, guarantees for the unemployed, guarantees for students and so on. The individual person with his willingness to take a risk, his intelligence, determination, and tenacity still has so few opportunities, that even the most determined are overtaxed by what they experience.

The Center Union represents that softened version of liberalism which could correspond to the self-consciousness of those who are the most daring and to their interests, as people who are determined to lead life as an individual, in growing, joining into groups or classes, and assuming a certain position in the structure

of the society, in which the majority will nevertheless be comprised of those conglomerates that require collective guarantees.

[Racas] Why, despite accentuation of the idea of liberalism, has the Lithuanian Center Union been unable to find common ground with the Lithuanian Liberal Union?

[Ozolas] I believe that this is a question of time. The difficulties are sufficiently comprehensible in the sense that here in Lithuania everything begins with ideological viewpoints, and any difference whatsoever in these repels people from the possibility of joining forces or working together. There is a certain degree of hypertrophied seeking of identity in all the parties, so it goes without saying that this might be especially characteristic of the Liberals, who defend the freedom of the individual. And that is indeed the case.

We said a very long time ago, back when the Center movement was still forming and when positions were being deliberated with the Liberals, that despite everything our paths were the same, and that sooner or later we would find a way to cooperate. We will also find a way to cooperate with other centrist or moderately oriented forces.

Until all the rich and powerful people who wish to participate in political life come together, the Liberal Union will be able to represent liberalism in Lithuania more as an idea than as a concrete political effect. However, even then they will not be able to collect enough votes, and the moderate echelons of liberalism will be able to be suitable representatives for those too who will share the belief that the defense of their private life and initiative, as well as the defense and increase of their personal wealth is their life's purpose and meaning. This is why we characterize ourselves not as the representatives of the large capitalists, but rather as the representatives of the person who has wealth, as representatives of the individual, as representatives of the person who understands that wealth is not absolute, that it is only a means to live and to exist, and that it is the engine of society's becoming free.

[Racas] Could you give concrete expression to who these "people who have wealth" are whom you would like to represent?

[Ozolas] The structures of wealth in Lithuania have not yet manifested themselves completely and it is uncertain what they will eventually be like. We believe that we could represent people both in rural areas—large- and medium-size farmers—and in urban areas—financiers, factory owners, large stockholders, as well as the entire strata of workers in private infrastructure. In short, for that group of owners which requires a guarantee of free trade and assistance as well as defense at times when there is instability in the country. What will be especially difficult and crucial will be the reconciliation of the guaranteeing of interests of large- and medium-size capital.

[Racas] When the Center movement was being founded, its ranks included many people who were well-known then: K. Motieka, S. Kasauskas, M. Laurinkus, A. Januska, etc. How would you explain the fact that now they either do not participate at all in the activities of the Center Union or have suspended their work in this organization?

[Ozolas] I believe that this is related to the fact that participation in politics is a very difficult duty. Moreover, everybody has a lot of individual interests, everybody today is accumulating starting capital for themselves, and some of the people mentioned are doing so as well. This is why I fully understand Mr. Kasauskas, who is concerned with the development of his personal business, I understand Mr. Motieka, who wants to put the activities of his firm in order so that he can be independent. Sometimes I think that when I leave politics it will be as a completely poor man, whereas my friends and many people in Lithuania will have in reality achieved the ideal for which I am working in politics. That is a paradox, but working in politics is what I have decided to do.

[Racas] Members of the Center Union work in various government structures and frequently express differing opinions and so politicians sometime say that a multipartite structure has developed within the Center Union itself. Isn't there a danger that your party will split up?

[Ozolas] Even parties that are less democratic than ours are threatened by divisions and differences of opinion. The way in which diversity of opinion is formulated in our party and the way in which we manage to act on this diversity as we coordinate differences of opinion is very satisfying. In surmounting the differences of opinion that we indeed do have, we manage to coordinate them not with respect to the sole category of current economic needs, but rather with regard to what will happen in the distant future. When difficulties arise, we work on the principal question: does our general line correspond to this or not? If it corresponds, then we don't argue about the details. This is why a split is truly not a threat to us for the time being, even though to our critics, the details usually seem to be especially significant.

I want to emphasize where our threshold of confidence lies: working individually and on one's own responsibility up to the point where it is clear to everyone that the

person might be in a position to go outside the viewpoints of the party. If the party believes that the person has nevertheless crossed this threshold and that his viewpoints no longer correspond to the viewpoints of the party, then we raise the issue whether this can continue to be reconciled with the norms of the general work of the party.

[Racas] Elections to local government may take place this year already. How is the Center Union preparing for these elections and with which political forces does it foresee forming a coalition?

[Ozolas] We have always believed and will continue to hold to the viewpoint that no advance indications on this topic are needed. We let our sections operate freely in choosing election partners for themselves. Some sections will participate in the elections together with the Liberals, while others will join with the Liberals and the Social Democrats. They will, of course, not coordinate their programs but perhaps they will succeed in agreeing on how to act together on individual issues.

[Racas] How does the Center Union view early elections to the Seimas?

[Ozolas] We have a very clear opinion on this issue: for the time being, we can not support this idea, because we believe that if the elections took place this fall, they would not in the main change anything, and could possibly even make the situation in the Seimas and the country worse. This was also my opinion in 1992, when I proposed that elections not be held but rather that we work as hard as possible.

[Racas] Do you expect to overcome the 4 percent hurdle in the next elections and will you try to do so alone?

[Ozolas] Without a doubt. We will go into the elections on the basis of what is there and will also look for who can agree with us on the principal issues. Even if such agreement would only happen in the distant future, and even if for tactical reasons certain distinctions were to remain. If our positions coincide and if the other party can take part in joint political activity and can assume the task of taking care of a certain domain, that party will be our friend and participate alongside us. We see possibilities for cooperation with the Social Democrats, Nationalists, Democrats, and this does not even mention the Liberals. The question is whether the politicians of today will be able to overcome their mentality, step beyond their personal interests, and join and unite for the benefit of our country.

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